

# South Central Wisconsin Rail Transit Commission

Quarterly Meeting at 3 p.m., Thursday, 9 August 2007

DNR South Central Regional Office • Gathering Waters Conf. Room • 3911 Fish Hatchery Rd, Fitchburg

- 1) SCWRTC Chair Robert Hoesly called the meeting to order at 3 p.m.
- 2) **Commissioners present for all or part of the meeting:**  
 Bob Hoesly (Green)    Harvey Kubly (Green)    Oscar Olson (Green)  
 Paul Ziehli (Dane)    Judy Olson (Dane)    Jim Haefs-Flemming (Dane)
- 3) **Others present for all or part of the meeting:** Joni Graves (SWWRPC); Vicki Schaefer and Jim Tracey (WisDOT).
- 4) **Motion accepting Graves' certification of public notice / Ziehli / Kubly / Passed unanimously.**
- 5) **Motion adopting the Agenda as posted by Graves / Kubly / Ziehli / Passed unanimously.**
- 6) *Graves said the draft Minutes from the January and April meetings were not finished; no action was taken.*

## REPORTS & COMMISSION BUSINESS

- 7) **Treasurer's Report** - Harvey Kubly said there had been a bump up in the interest rate on the CDs. He said that with the unresolved issues with the real estate taxes in Illinois, and with the advice of the Commission's attorney, Eileen Brownlee, he had paid the pending installment in the amount of \$720.40, as previously authorized by the Commission. He said no other bills had been received.
  - **Motion accepting the Treasurer's Report, as presented / Kubly / Olson / Passed unanimously.**

He said he had spoken with Jan Froelich, Johnson Block, that morning and she had told him the 2006 Audit was done, she would be reviewing the draft, and copies would be sent out.
- 8) **Staff Report** – Joni Graves provided an update on the information included in the meeting packet, which included a copy of the Illinois DNR Director's 1997 document committing that the State of Illinois would pay taxes on the right-of-way operated in Illinois as the Jane Addams Trail. She reported that Brownlee is continuing to work through the appeals process.
- 9) **WisDOT Report** – Vicki Schaefer and Jim Tracy presented a request from the City of Madison related to plans for reconstruction of Regent / Monroe Street intersections. VSchaefer had prepared *draft* Amendment Two for the trail / rail banking agreement for consideration and possible action by the Commission. She provided background and said it includes the standard language that if rail were to return, related costs would be at the City's expense.
  - **Motion approving the draft Agreement with the City of Madison related to plans for reconstruction of the Regent / Monroe Street intersections as presented, pending approval of the draft Agreement by the Commission's staff attorney / Kubly / Olson / Passed unanimously.**
- 10) **DNR Report** – Dana White-Quam provided an update on the "Friends of the Trail" organization, which Ziehli had also requested. She said they have non-profit status now, which makes them eligible for some "Friends Group" funding. She said the board is really diverse, including ATV'ers, snowmobilers, hikers, and cyclists, and that they seem like a very energetic group.

Regarding the Winter ATV Trial Period, she said they have put together a draft agreement and will send the Commission a copy when it's completed. An advisory group has met periodically to discuss issues and proposed solutions for addressing any problems. This past year there were about 20 days that the ATV'ers could use when there's less than 4" of snow and the ground is frozen; more snow than that, and the snowmobilers put a lot of time and effort into grooming. She said Steve Johnston, DNR, had been very conscientious about the signage so people would know about trail conditions, the information was also on the Green County website, and a phone line at New Glarus Woods provided updated information to callers. She said the year went pretty well, although there were some areas of damage. The biggest problem area was

between Monroe and Monticello, which was outside of the pilot area, and they hope to do a better job of educating people next year. She said they are working on setting the criteria for evaluating the pilot, with safety and damage issues carrying more weight than “administrative violations,” and that the trial period is for three years.

Haefs-Flemming asked whether the Friends Group was aware of discussions about resuming rail service on the Pecatonica Line and if they understood that trail use was not permanent. White Quam said this is clear in the agreement, which outlines the terms. Schaefer said the agreement requires one year’s notice to the DNR and that the corridor would stay under the authority of the Commission and WisDOT, which would have a three-party agreement with the railroad operator. After some discussion, Kubly said it speaks to the value of the Commissions and their Mission to preserve the rail corridors so, when the day comes, they are intact.

White Quam responded to comments from Commissioner Ziehli, who had requested that the Badger Trail Grand Opening event be on the Agenda. He said people in the Village of Belleville were upset because they felt left out and he distributed the flyer that had been sent to the members of the Village Council. Graves said no information had been sent to the SCWRTC about the event. Ziehli said some of the Village officials were asked, five minutes in advance, to speak at the event. He said the Village had “bent over backwards and this is a slap in the face and a kick in the butt.” White Quam agreed

Regarding the Friends Group, he said that in February 2005, at a meeting in Monroe, he was told there would be two Friends Groups – one on the North and one on the south. White Quam said it’s their experience that having two Friends Groups doesn’t work. She addressed rumors that the Friends Group wanted to kick out ATV’ers and said the board has balance across modes.

She said the event was put together and run by the Friends Group, invitations were sent to state-level elected officials, and said she had praised Belleville’s work and commitment when she talked with the media. She apologized for the poor outreach to Belleville, locally elected officials, and the Commission. Schaefer said WisDOT staff had no information about the event either.

Graves requested that WisDOT, all six of the Commissioners, and SCWRTC staff be added to the mailing list – whether it’s maintained by the Friends Group or the DNR.

Ziehli spoke to other problems, with people using private property along the trail, a business sign that’s been posted on the trail, and the need for people to walk through the tunnel and use flashlights. Hoesly spoke to similar stories he’d heard. Following discussion about the tunnel, Ziehli said it’s quite an attraction and that the whole trail is an attraction.

White Quam asked for contact info – preferably emails – and Graves said she would like to receive the Meeting Notices, Minutes, and past Minutes to-date.

In other discussion, Graves noted that Judy Olson had been reappointed to another term on the Commission and thanked her for accepting, noting the value of “institutional memory” – especially while the Commission is working to resolve the tax status with the State of Illinois.

**11) Motion adjourning the meeting at 3:58 p.m. / Ziehli / Kubly / Passed unanimously.**

**SOUTH CENTRAL RAIL TRANSIT COMMISSION**

**August 9, 2007**

CHECKING ACCT. BALANCE ON HAND 03/31/07 \$ 4,608.36

**RECEIPTS:**

CD # 48934 \$ 1,506.88

CD # 48232 \$ 1,795.42

INTEREST HI-FI ACCT. (BOM) \$ 9.38

\$ 3,311.68

TOTAL ON HAND \$ 7,920.04

**DISBURSEMENTS:**

#528 KRAMER & BROWNLEE \$ 1,846.04

#529 SWWRPC \$ 1,570.62

\$ 3,416.66

CHECKING ACCT. BALANCE ON HAND 06/30/07 \$ 4,503.38

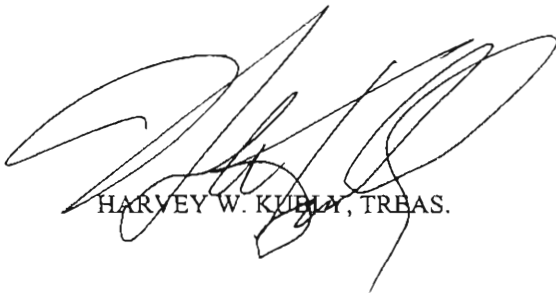
**LOCATION OF FUNDS:**

HI-FI CHECKING BANK OF MONTICELLO \$ 4,503.38

12/30/03 CD# 48232 BOM 4.65% \$ 100,000.00

12/31/04 CD# 48934 BOM 4.65% \$ 75,000.00

TOTAL CHKG. & C.D.'S 06/30/07 \$ 179,503.38



HARVEY W. KUEHL, TREAS.

BEFORE THE  
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NUMBER 30724 -- MODIFIED CERTIFICATE  
WISCONSIN & CALUMET RAILROAD CO., INC.  
FREEPORT, ILLINOIS TO WISCONSIN-ILLINOIS STATE LINE  
STEPHENSON COUNTY

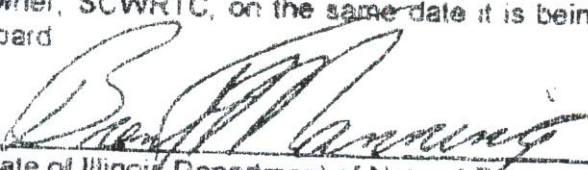
STATEMENT OF WILLINGNESS TO ACCEPT RESPONSIBILITY BY STATE OF  
ILLINOIS DEPARTMENT OF NATURAL RESOURCES  
PURSUANT TO 49 CFR 1152.29

In order to establish interim trail use and rail banking under 16 USC 1247 (d) and 49 CFR 1152.29, the State of Illinois Department of Natural Resources (IDNR) is willing to assume full responsibility for management of the property based on a permit from the present owner, the South Central Wisconsin Rail Transit Commission (SCWRTC). Upon execution of a permit from SCWRTC, IDNR is willing to assume full responsibility for its operations on the property and for the payment of any taxes or assessments that thereafter may be lawfully levied against it. The segment for which IDNR is making this Statement of Willingness is the following portion of the Madison to Freeport line:

Milepost 16.68 at the state line to Milepost 2.42 in Freeport, a distance of 14.26 miles in Stephenson County, Illinois.

A map depicting the property that is to be accepted by IDNR is attached to this pleading as Exhibit "1"

IDNR acknowledges that use of the property is subject to the IDNR continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the property for rail service. A copy of this statement is being served on the owner, SCWRTC, on the same date it is being served on the Surface Transportation Board.

  
State of Illinois Department of Natural Resources  
By Brent Manning, Director

  
Date

APPROVED FOR EXECUTION

NOV 28 1997

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S. Yung