

SOUTH CENTRAL WISCONSIN RAIL TRANSIT COMMISSION

1 pm, Wednesday, 24 October 2007 • DNR Office, 3911 Fish Hatchery Rd, Fitchburg, WI • Gathering Waters Conf. Room

AGENDA

- 1) **SCWRTC Chair Robert Hoesly called the meeting to order at 1:00 pm.**
- 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); Frank Huntington and Vicki Schaefer (WisDOT); Dana White Quam (DNR).
- 4) **Motion accepting Graves' certification of public notice / Ziehli / Kubly / Passed unanimously.**
- 5) **Motion adopting the Agenda as posted by Graves / Kubly / JOlson / Passed unanimously.**
- 6) **Motion approving the draft Minutes from January, April, and August / Ziehli / OOlson / Passed unanimously.**

REPORTS & COMMISSION BUSINESS

- 7) **Financials / Treasurer's Report** - Harvey Kubly reported that the only disbursement was for the Illinois taxes, on the advice of Eileen Brownlee. He noted that the Commission has expended several thousand dollars for payment of the Illinois taxes and related expenses, and said that he hopes to see these recovered.
 - **Motion approving the Treasurer's Report, as presented / Kubly / JOlson / Passed unanimously.**
 - **Motion approving payment of the \$1,000 bill from Johnson Block for the 2006 Audit of the Commission's financials / Kubly / JOlson / Passed unanimously**
 - **Motion accepting the draft 2006 Audit of the Commission's Finances with no comments and final approval pending receipt of the final documents / Kubly / JOlson / Passed unanimously.**
- 8) **Belleville Property Maintenance Issues (Erica Ehlert, Belleville Resident) – Paul Ziehli summarized the property owner's concerns** that the railroad ditch is extremely overgrown and has created water drainage problems. Her letter expressed concern that the adjacent church will be creating retention ponds, as part of new construction plans, and asked whether all of the area drainage needs had been taken into consideration. In discussion, it was agreed that something should be done. Under the agreement, maintenance is the responsibility of the DNR and White-Quam said she would visit the site the next day and would work with DNR staff to address it before spring. Hoesly asked whether Ziehli felt comfortable that he could assure the owner that it would be addressed. Ziehli said he would talk with the owner. White-Quam said the owner could contact her or Steve Johnson with questions. No action was taken. Ziehli asked White-Quam about another permit issues that are pending in the area and she said they would review it and that Jim Tracey would review the utility permit.

9) **Request for Action. US 20 – IDOT Request for Comments and/or Concurrence for Final Design Plans**

Graves referred to the email from Michael Martin, IDOT staff, from 17 August 2007:

The Illinois Department of Transportation is in the preliminary stages of proposing to construct a second set of lanes parallel to the existing US 20 over the Jane Adams Trail. The plans that I sent you were the preliminary plans of a proposed structure to carry the second set of US 20 lanes over the trail. Before we can proceed with the design of final bridge plans, we need your concurrence on the proposed design clearances. The clearances that we are proposing for the new structure are adequate for the construction of new rails, if train service were to ever be needed on this corridor again. Per your e-mail below, if I am interpreting it correctly, it sounds like the commission would be opposed to IDOT constructing additional lanes over the trail. Is this correct?

Graves asked Huntington to speak to the background. He said he remembered a request for an easement for a bridge that would not be able to handle rail traffic, and that Joan Festge, then at the former Dane County MPO, may have been SCWRTC's staff at that time. He said it was his understanding that current plans would be for a bridge that could accommodate rail.

Graves had emailed Martin in September:

I have reviewed my SCWRTC files and did not find any Commission action related to this US 20 proposal. I have correspondence and notes from 2005, related to the issue, but the last reference that I found in the Minutes (October 2005) said there were no imminent plans to proceed with the proposed bridge structure on

USH 20. As you explained in your 17 August 2007 email: *"The Illinois Department of Transportation is in the preliminary stages of proposing to construct a second set of lanes parallel to the existing US 20 over the Jane Adams Trail. The plans that I sent you were the preliminary plans of a proposed structure to carry the second set of US 20 lanes over the trail. Before we can proceed with the design of final bridge plans, we need your concurrence on the proposed design clearances. The clearances that we are proposing for the new structure are adequate for the construction of new rails, if train service were to ever be needed on this corridor again. Per your e-mail ... it sounds like the commission would be opposed to IDOT constructing additional lanes over the trail. Is this correct?"*

As I indicated in my earlier email, the SCWRTC's attorney recollected that the Commission indicated earlier that it would not grant a deed to a portion of the right-of-way. I won't presume to speak for the Commission regarding its position on IDOT constructing additional lanes over the trail. Commissioners may raise other concerns, but I believe the most significant issues would be:

- 1) whether clearances for the new structure would be adequate for the construction of new rails (and you have indicated that it is proposed that they would be);
- 2) whether the IDOT would bear the responsibility for any modifications, related to the structure, so that rail service could be resumed if the structure were found to create an impediment;
- 3) whether there would be any short-term or long-term impact on the use of the trail during construction of this project.

The next meeting of the SCWRTC is scheduled for 24 October 2007. Would you, or someone else working on this project, be able to attend to present this matter and respond to questions?

She provided a printout of the 2004 correspondence and preliminary plans that Martin had sent with his August email, but said there had been no response to the email she had sent in September.

- **Motion expressing concern about possible impacts to the rail corridor and requesting that IDOT send a full set of plans for its proposed Hwy 20 Bridge over the Jane Addams Trail to Jim Tracey (WisDOT) and Eileen Brownlee for review / Ziehli / Kubly / Passed unanimously.**

10) Updates / Possible Action. Staff Report – Joni Graves, SCWRTC Administrator

Illinois Tax Issues - Ziehli said Representative Brett Davis had told him that his staff had talked with Eileen Brownlee and "she had given [his staffer] a cold shoulder" and said it was going through the courts. He said his staff was still trying to find out more about the issue. Ziehli asked that we continue to keep in contact with Representative Davis who is willing to help. Per the most recent spate of emails with Ron Kane, Stephenson County, and George Bellovics, IDNR, Brownlee had prepared an Affidavit of Use for Harvey Kubly to sign as part of the application process requesting that the property taxes be waived. Kubly signed this, in the presence of a DNR Notary, for Graves to forward.

Consensus action approving SCWRTC's 2008 Calendar of Quarterly Meetings – January 23rd, April 23rd, July 23rd, and October 22nd.

11) WisDOT Report – Frank Huntington provided an update on the state transportation budget and there was some discussion.

12) DNR Report – Dana White-Quam, DNR Regional Park Specialist, spoke to repairs made just before the Labor Day weekend. She said there's private property in the narrow area between the two corridors in Monticello. Buildings may be removed and hope to attract a trail-related business. There have been lots and lots of requests, specifically in the Monticello area, for crossings with subdivisions etc and she said they are pretty strict about granting those. They provide info to DOT for the permits and generally require language for how many homes the driveway could serve with widths less than a public roadway. The DNR hopes to get a TE grant for completing the northern portion of the trail. This would require the endorsement of the MPO and they haven't gotten indication of their support. DNR does not want to spend money to put down limestone if would be paved subsequently. She said she had learned, via email, that there had been another grand opening by the friends group at the state line. She said she hadn't attended. Hoesly and Kubly said the Green County Tourism had been involved and White Quam said they'd been very good to work with.

Ziehli asked when the directional signs would be put up in Belleville? White Quam said the cost would be about \$30K and the DNR was ready to go, since the DNR has the money, but the DOA has held the release of funds and she didn't know if the funds would be released now with the recently passed state budget.

Hoesly said people he talks with are really glad the trail is hooked up with Illinois now and that business owners say they get a lot of customers from Illinois.

13) Motion adjourning the meeting at 2:16 p.m. / JOlson / OOlson / Passed unanimously.