

Wisconsin River Rail Transit Commission

X-Commission Mtg – Friday, 08 Oct 2010 @ 10am • Dane Co. Hwy, 2302 Fish Hatchery Rd, Madison, WI

1. **Karl Nilson, Chair, called the meeting to order at 10:00 a.m.**
2. **Commissioners present for all or part of the meeting:**

Crawford	Tom Cornford	X- Committee	X
	Rocky Rocksvold		X
	Vacant		
Dane	Gene Gray	Treasurer	X
	Jim Haefs-Fleming		X
	Forrest Van Schwartz	Advocate	X
Grant	Ivan Farness		
	Margaret Ruf	Secretary	X
	Robert Scallon	2nd Vice Chair	X
Iowa	Charles Anderson	X- Committee	
	Gerald Dorscheid	Vice Treasurer	X
	Robert Zinick		

Rock	Ben Coopman	Alternate	
	Wayne Gustina		X
	Alan Sweeney	Vice Chair	X
	Terry Thomas		X
Sauk	Joel Gaalswijk		
	Rob Sinclair	Assistant Secretary	X
	Scott Alexander		X
	Marty Krueger	Alternate	
Walworth	Jerry Grant		
	Richard Kuhnke	X- Committee	
	Allan Polyock		
Waukesha	Karl Nilson	Chair	X
	Richard Manke		
	Fritz Ruf		

Others present for all or part of the meeting:

Amy Seeboth (SWWRPC / WRRTC Administrator); Frank Huntington & Ron Adams (WisDOT); Ken Lucht & Bill Gardner (WSOR); Virgil Kasper (Pink Lady RTC)

3. **Motion accepting Seeboth's certification of Public Notice.** *Sweeney / Cornford- passed unanimously.*
4. **Motion accepting the Agenda, prepared by Seeboth.** *F. Ruf / Gustina - passed unanimously.*
5. **Motion approving the draft Sept. Minutes.** *Dorscheide / Van Schwartz – passed unanimously.*
6. **Public Comment** – None
7. **Correspondence & Communications** – Seeboth passed around two articles on railroads sent to her from Van Schwartz. Thomas said that a past Rock County Commissioner, Bill Agnew, passed away recently and the Commission asked that Seeboth send a card to his family.

REPORTS & COMMISSION BUSINESS

8. **WRRTC Financial Report**– Jim Matzinger, Dane County CPA / WRRTC Accountant was not present at this meeting. He left copies of the financial report and checks.
 - **Motion accepting payment of bills and acknowledging receipt of treasurers report- Sinclair / Van Schwartz – passed unanimously**
9. **Wisconsin & Southern Railroad's Report on Operations** – Ken Lucht, WSOR, reported on the following:
 - *Monthly Maintenance Activities* – The recent flooding in central and western WI did affect WSOR – they had some service outages in the area for about a week. Fortunately the crest of the flood was very short. They are working on some debris issues at this time.
 - *Update on 2009 & 2010 Capital Rehab Projects* - 2009 capital projects are underway. WSOR has been installing welded rail between Milton Junction and Edgerton. They have ordered a second rail trail to get them to Stoughton. The WSOR invited the Rock County Board of Supervisors out to the site to see the installation. They are also working on a tie installation project on the Monroe Subdivision. Lucht said that he hoped everyone had received their Making Tracks publication, and if not, please let Ken know and he will be sure to get them one. They are working on a 30th anniversary publication right now and will be sending that to Commissioners as well when it is ready.

- *Update on TIGER II Funding Request* – WSOR expects announcements on this funding opportunity by the end of the month.

10. Approval of Wisconsin & Southern Railroad’s 2010 Capital Project and Funding Strategy. Lucht reported that most WSOR capital projects are funded through the WDOT, and since the DOT has not yet announced rail funding awards this year, they do not know yet what projects they may be working on. WSOR, however, is moving ahead to develop a budget. Lucht reminded the Commission that they have a unique public/private partnership made of the Transit Commissions, WDOT, and WSOR. WSOR has attracted 24 new industries in the last decade and 1,100 new jobs. Specifically, in 2011, they hope to complete the following improvement in the WRRTC area: Milton Junction to Madison (phase 2) rail replacement – with an estimated cost of \$2,746,700. WSOR is asking WDOT to fund 80% (\$2,200,000) and asking each county to contribute \$25,5000 for a total of \$229,160 (or 8% of total project cost). WSOR will pay \$320,200.

- **Motion to approve the WSOR 2010 Capital Project and Funding Strategy as proposed - Sweeney / Gustina – passed unanimously**

11. WRRTC Administrator’s Report – Seeboth had no report.

12. WDOT Update – Huntington reported that WDOT has about \$30 million to spend on acquisition and rehabilitation of freight rail line- which is a lot more funds than in the past. Despite this, WDOT received applications for \$60-100 million, so funding decisions will not be easy. Additionally, WDOT was recently presented with the opportunity to purchase the Union Pacific line through Madison and up to Reedsburg, which is a priority for WDOT as it will connect all the other Wisconsin lines in Madison. WDOT does not yet know what this acquisition might cost and the cost will affect WDOT’s decisions on what other projects to fund this year. Huntington said that this decision will need to be made sooner than later. The WSOR lease on these lines expires next year.

WDOT is making good progress on the high speed rail project. WDOT and WSOR have been working around the clock some days, trying to get some contracts finalized and set to go. Some contracts have been let already and work will begin in the next several weeks. Ron Adams added that there will be a couple of meetings in the Madison area soon where the team will make recommendations to the City about at-grade crossings and fencing issues, etc. WDOT staff spent most of this week speaking with FRA talking about the funding, there is a lot of oversight from FRA. Out of the \$810 million federal funds Wisconsin has for this project, Wisconsin has been awarded just under \$50 million so far.

Van Schwartz added that Dane County Commissioners have set up a regular meeting with their elected officials to discuss rail issues with them.

13. Update on Sauk County Rails to Trails Stakeholder Group – Virgil Kasper (Pink Lady) reminded the Commission that at the last Sauk County meeting it was decided that WSOR, United Cooperative, and other officials to meet to discuss their own needs prior to further moving forward with more group meetings. Huntington added that WDOT has acquired the easement through Badger Ammunition- if not used within a certain period of time for its intended purposes, it can revert to another type of easement (WSOR hasn’t used it for about a year and they have about one more year before they have to use it (rails to trails is likely an allowable use for maintain the easement, but not concurrent use or both)).

The Commission recessed for a 10 minute break at 11:04

14. Report discussion and possible action regarding passenger rail agreements- Huntington passed around a copy of the existing agreement between WSOR, WDOT and Amtrack. Another agreement, a construction agreement between WDOT and WSOR, covers construction issues along this line. In the Amtrack agreement- page 3, item 5 talks about modifications to the Amtrack-host agreement. WRRTC signed an agreement with WSOR in 2000 to provide passenger rail service into Janesville. That agreement is still in place and applicable to this situation, however, some modifications and amendments will be needed to cover the new service along the Watertown Line. Huntington said that amendments to this and possibly other agreements will be needed throughout the high speed rail negotiations and it may be difficult for the Commission to convene and participate in these updates in a timely fashion. Huntington offered the Commission a few options- one option is to give the chairman/staff (with attorney review) the power to sign off on any changes if they feel that there is nothing controversial in the changes, the other option is to bring any amendments back in Nov. but he is not sure if things will be ready for that meeting.

- **Motion approving amendments to WSOR-Amtrack host agreement adopted in April 2000, (intercity passenger rail operating agreement by and between and Wisconsin river rail transit commission and the Wisconsin & Southern railroad company dated april 17, 2000) allowing Chairman Nilson with attorney review to sign off on changes and bring it to Commission for approval in November or as needed – M. Ruf / Scallon - Passed Unanimously**

15. Discussion, update and possible action on potential track acquisition from UP between Madison and Reedsburg, and local match requirements –Huntington said that, as mentioned earlier, WDOT is considering acquiring trackage from Fitchburg to Reedsburg. This came up as a way to resolve an issue in Madison for the High Speed Rail project but this track is also a key hub for their entire system. UP would sell the track as a package, which would include the Merrimac Bridge. WDOT is in preliminary discussions with the UP and are hoping it will move quickly compared to other transactions- perhaps have it completed by mid-next year. A lot of information is still needed, however, before they have a price. Some money might come from high speed rail for the Madison track and the rest would come from the WDOT grant program which would directly cut into other projects. There will likely be no local match needed for the Madison track, but will need one for the Reedsburg line, typically the real estate is 100% funded by the state while track and improvements are funded 80% by state, 20% by local match. They do not have a guess yet as to how much that is at this point. WSOR’s lease runs out in October 2011, WDOT believes that they will have a firm number by then and hopefully sooner.

16. Discussion, update and possible action on potential track acquisition from CP between Madison and Windsor- Huntington explained that this has also come up because of the High Speed Rail Project. CP said they would sell their track all the way up to Windsor, which is also corridor that is part of WDOT’s long-range plan. CP, however, unlike the UP track, would still maintain and operate this track. WDOT has no idea what the price is on this track. WDOT has spoken with CP about a lease and this trackage (approximately seven miles) would likely be added onto the commission’s trackage. WDOT has indicated to the CP that there would be some sort of lease fee for the Commission (\$5,000 to the commission) would this occur. This would be the first time that a Wisconsin RTC would have two operating agreements at once, and the first time that an RTC would have an operating agreement with the class 1 railroad. Huntington asked the Commission whether a \$5,000 annual flat lease between CP and the Commission is a fair lease amount to be discussing with the CP.

- **Motion to start lease discussions with CP at \$5,000 and recommend that Commissioner Van Schwartz attend pertinent meetings with CP/WDOT on behalf of the Commission and in the interest of the Commission , subject to negotiation and other pending agreements– Gray / Sweeney – passed unanimously**

17. Motion adjourning the meeting at 11:54 p.m. - Cornford / M. Ruf - passed unanimously.