

WRRTC JULY 12, 2024 MEETING MINUTES – APPROVED 8/9/2024

**Wisconsin River Rail Transit Commission
Commission Meeting – Friday, July 12, 2024 at 10:00 am**

1. 10:00 AM **Call to Order – Marty Krueger, Chair**

2. Roll Call. **Establishment of Quorum – Misty Molzof, Admin**

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|----------|--|----------------|-----------|--|----------------|
| Crawford | Carl Orr, <i>1st Vice Chair</i> | X | Jefferson | Mary Roberts | X |
| | Mark Gilberts | X | | John Kannard, <i>Vice Secretary</i> | X |
| | Tom Cornford | <i>Excused</i> | | Jeff Smith | X |
| | | | | Dan Herbst, <i>Alternate</i> | |
| Dane | Kevin Potter | X | Rock | Dave Homan, <i>2nd Vice Treasurer</i> | X |
| | Jeff Huttenburg, <i>Treasurer</i> | X | | Tom Brien | X |
| | Jim Bolitho | X | | Kevin Stone | X |
| Grant | David Wiederholt | X | Sauk | Brian Peper | X |
| | Mike Lieurance | X | | Gaile Burchill | X |
| | Robert Scallon, <i>2nd Vice Chair</i> | X | | Marty Krueger, <i>Chair</i> | X |
| | | | | Tim McCumber, <i>Alternate</i> | X |
| Green | Harvey Kubly, <i>1st Vice Treasurer</i> | X | Walworth | Al Stanek | <i>Excused</i> |
| | Larry Kranig | <i>Excused</i> | | Richard Kuhnke, <i>2nd Vice Secretary</i> | <i>Excused</i> |
| | Mark Gundlach | <i>Excused</i> | | Allan Polyock | <i>Excused</i> |
| Iowa | Charles Anderson, <i>Secretary</i> | X | Waukesha | Rick Beutler, <i>3rd Vice Treasurer</i> | <i>Excused</i> |
| | Kate Reimann | <i>Excused</i> | | Richard Morris | X |
| | Craig Hardy | <i>Excused</i> | | Karl Nilson | <i>Excused</i> |

Commission met quorum.

Others present for all or some of the meeting:

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| <ul style="list-style-type: none"> • Misty Molzof, SWWRPC • Julia Potter, Boardman & Clark • Lisa Stern, WisDOT • Ken Lucht, WSOR | <ul style="list-style-type: none"> • Sarah Rigelman, WisDNR • Alan Anderson, Pink Lady RTC • Don Vrunwink, OCR |
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3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Molzof.**

- *Motion to approve meeting’s public notice – Lieurance/Kubly. Passed Unanimously.*

4. Action Item. **Approval of Agenda – Prepared by Molzof.**

- *Motion to approve the agenda moving agenda item #15 before the Treasurers report #11, and adding the insurance coverage bill to the Treasurers report and payment of bills. Orr Burchill. – Passed Unanimously.*

5. Action Item. **Approval of draft June 7, 2024 Meeting Minutes – Prepared by Molzof.**

- *Motion to approve the June 7, 2024 meeting minutes with change under #15 to include contingent upon review and approval from WSOR and WisDOT as required and execution of standard crossing agreement form. Brien/Scallon. Passed Unanimously.*

6. Updates. **Public Comment – Time for public comment may be limited by the Chair.**

Alan Anderson, Pink Lady, inquired as to when the weight restrictions will be lifted on the Merrimac Bridge.

7. Updates. **Announcements by Commissioners**

REPORTS & COMMISSION BUSINESS

8. **2025 Budget Hearing** – Krueger opened the public hearing at 10:10 am.

Huttenburg explained the proposed 2025 budget.

No public comments.

9. **Close 2025 Budget Hearing** – Krueger closed the public hearing at 10:15 am.

10. **2025 Budget** – Huttenburg, *Treasurer*

- *Motion to approve the 2025 budget as presented and published. Morris/Anderson. Passed Unanimously.*

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11. WRRTC Financial Report – Huttenburg, Treasurer

- *Motion to approve the May, 2024 Treasurer's Report and pay bills: SWWRPC 2nd quarter, 2024 in the amount of \$8,385.88 which includes publication of the bid advertisement in the WI State Journal, \$455.17 to Lee Enterprises for budget publication in the WI State Journal, \$17,449.23 to Schaeffer Insurance for the annual insurance renewal, and \$91,642.71 to WSOR for the Merrimac Bridge Project, payment #2-2024. Anderson/Kannard. Passed Unanimously.*
- *Motion to and decline the terrorism insurance option. Scallon/Burchill. Passed Unanimously.*

12. Wisconsin & Southern Railroad's Report on Operations – Lucht, WSOR

Lucht – WSOR received 17,000 maintenance ties that will be going into WRRTC, PRTC, and ECRC (East Consortium). Ties on WRRTC – Elkhorn Sub, Fox Lake Sub (8,000 ties), and Prairie Sub (500 ties), Waukesha Sub, and 28,000 ties Baraboo & Merrimac area; weed spraying is occurring on the entire network; locomotive shop is complete and will be operational in 2 weeks, WSOR is in the process of moving in, and will get back to us with a date of the grand opening; the weight restriction lift timeline on the Merrimac Bridge is unknown at this time, and WSOR will let us, customers, and interested parties know as they know; private crossing violators are in process of being contact, with the 2nd one, Genesey Realty, recently being contacted; property management as identified three small business in Oregon, a stretch completely owned by the Commission, that are occupying the right-of-way and trespassing, and agreements will need to be put in place; the Mississippi River is at flood stage, record levels and as of June 24th, all equipment was pulled off of St Feriole Island due to flooding, water is up to rail; therefore, no customers on St Feriole Island are being serviced. Once the ties are visible, operations will resume and those customers will get service; which will hopefully be within a couple of days; there have been no washouts this year; traffic is not very good right now: Ethanol in Jefferson opened back up now, which has caused a big down turn in grain shipments, and the Soybean plant in Evansville on the Union Pacific Railroad is a threat to WSOR traffic; WSOR is under cost controls measure right now, and discretionary travel is limited, with no unapproved travel outside of the state of WI. WSOR will be servicing a new animal feed facility in Waupun by United Coop that is under construction, construction is slated on same sight for Soybean processing, Osh Kosh is growing and producing more carloads, WSOR is trying to backfill lost car loads; WSOR is trying to work with customers to grow both businesses organically by hauling locally; 1/3 of business is in the short haul.

13. WisDOT Report – Stern - WisDOT.

Stern stated that Merrimac Bridge has been going along really well, the two large spans have been replaced; Janesville Bridges are moving forward, UP has signed the documents, and a meeting is set up in the next couple of weeks; Baraboo is still in legal counsel hands; therefore, there are no updates at this time; and an update on the FRPP grant policy revision: historically for FRPP, the state has always used bond funds to fund this program, which required public notice and input when awarding funds; however, a new source of revenue has come in, which caused them to revisit their agreements and requirements. If the revisions go through, privately owned infrastructure is now eligible, statutorily there is no way for them to say no Class 1's can apply; therefore, the applicant pool can get larger; however, need is a requirement for awarding funds which will limit the ability of profitable companies to be awarded. There is concern of non-main line improvements owned by communities not receiving enough funding, and the program was meant to keep rail accessible to communities across the state, focused on getting the main lines and freight rail to those communities across the state, especially the rural communities.

Lucht – WSOR is going to submit comments. Biggest threat is that this will no longer just be funding public owned networks to help bring them to industry standards. Threat is that a Class 1 carrier is an operator with annual profits in the billions of dollars, and is it right for companies with these profits be eligible for funded by WI taxpayer dollars. There are other sources of funds available for communities, for example the TEA grant. WSOR feels that there is not a lot of industry owned tracks out there that will require grant funding, and this may severely limit the ability for public owned rail to get the funding they need. Funding should be preserved for public projects. Comments will be finalized in the next week or so, and WSOR will provide us with their final comments. If Class 1s are eligible, cities should be as well.

14. Administrator's Report – Molzof, Admin.

Molzof advised that she has received most, if not all responses needed from Commissioners on the open records request, and will be compiling the information in the next few days with submission early next week; meet your fellow commissioners was sent out, the ATC notice of herbicide application was provided in the packet as informational, and we are still working on the audit status update.

15. Committee Updates / Recommendations

- *Motion to approve recommendation of Trail Committee to award bid for purchase of track and trail removal project to sole bidder, Treno Services, LLC subject to providing a properly executed and notarized affidavit of non-collusion and other documents required by the bid materials, including performance and payment bonds meeting the requirements of the bid package. Anderson/Orr. Passed Unanimously.*

16. Permits / Applications

None.

17. Adjournment.

- *Motion to Adjourn at 11:11 am. Kannard/Orr. Passed Unanimously.*