

WRTC SEPTEMBER 6, 2024 MEETING MINUTES – Approved 10/4/2024

Wisconsin River Rail Transit Commission Commission Meeting – Friday, September 6, 2024 at 10:00 am

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

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

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

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> Misty Molzof, SWWRPC Scott Edmundson, WisDOT Ken Lucht, WSOR 	<ul style="list-style-type: none"> Jad Itani, Wis DOT (Virtual) Roger Schaalma, Brian Baird & Michael Gray, WSOR (Virtual)
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3. Action Item. **Certification of Meeting's Public Notice – Noticed by Molzof.**

- o *Motion to approve meeting's public notice – Cornford/Reimann. Passed Unanimously.*

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

- o *Motion to approve the agenda as posted. Brien/Reimann. – Passed Unanimously.*

5. Action Item. **Approval of draft August 9, 2024 Meeting Minutes – Prepared by Molzof.**

- o *Motion to approve the August 9, 2024 meeting minutes as presented. Morris/Lieurance. Passed Unanimously with Hardy abstaining.*

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

NONE.

7. Updates. **Announcements by Commissioners**

NONE.

REPORTS & COMMISSION BUSINESS

8. **Agreement with Partners, WSOR and WisDOT, as it pertains to Commission owned property and professional services sought – Krueger, Chair.**

8a. Consideration of and action on possible motion to adjourn to closed session pursuant to Wis. Stat. Sec. 19.85(1)(e), which permits the Commission to convene into closed session for the purpose of conducting specific business, whenever competitive or bargaining reasons require a closed session, for the purpose of bargaining agreement with partners as it pertains to commission owned property and possibility of seeking competitive professional services as stated under Action Item #8. – Krueger, Chair.

- o *Motion to adjourn to closed session pursuant to Wis. Stat. Sec. 19.85(1)(e) as noted above, allowing WSOR and Wis DOT representatives present to attend. Scallon/Kannard. Upon roll call vote, motion passed unanimously.*

Meeting adjourned to closed session at approximately 10:09 am.

Meeting reconvened into open session at approximately 11:07 am.

8d. Possible action on closed session matter, Agenda Item #8. – Krueger, Chair.

- *Motion to authorize Wisconsin Southern and Railroad (WSOR) attorneys to move forward as discussed in closed session, to represent Wisconsin River Rail Transit Commission (WRRTC) as needed, to name WRRTC as involuntary plaintiffs in action, and to use litigation committee for updates and immediate action as needed. Kanard/Peper. Upon roll call vote, motion passed unanimously.*

9. WRRTC Financial Report – Huttenburg, Treasurer

- *Motion to approve the July, 2024 Treasurer's Report and pay Boardman & Clark in the amount of \$11,318.00 for legal services. Orr/Reimann.*
- *Motion to amend motion to approve the July, 2024 Treasurer's Report and postpone payment of the legal bill to Boardman and Clark to a date certain. Orr/Morris. Passed Unanimously.*
- *Motion to approve payment of WSOR funding Request 3, 2024, Merrimac Bridge 334 Phase III invoice in the amount of \$144,800.22 contingent upon WisDOT review and approval. Bolitho/Kannard. Passed Unanimously.*

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

Lucht reported that the ties between Devils Lake and Waunakee are all replaced; quality control and resurfacing will start soon; the grand opening at the new locomotive shop is set for September 24th; recent train vs. fertilizer truck accident between Random Lake and Addell was caused by truck driver not paying attention, the loco and a couple of cars were derailed, and fuel was released on the ground; in the past 30 days, there have been 2 fatalities due to trespassing on rail property.

11. WisDOT Report – Edmundson - WisDOT.

Edmundson stated that the Merrimac Pier work is going well; Janesville bridge project: meeting with FRA bi-weekly, survey work has begun, and statement of work should be released by the end of 2024.

12. Committee Updates / Recommendations

Huttenburg stated that deposits of \$7,000 and \$3,900 were made from Treno and WSOR respectively, and Treno is hoping to start on project next week. Krueger stated that the bridge project is moved up 2 years due to some federal awards granted.

13. Adjournment.

- *Motion to Adjourn at 11:40 am. Kubly/Scallon. Passed Unanimously.*
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Meeting adjourned at 11:40 am.