

SOUTH CENTRAL WISCONSIN RAIL TRANSIT COMMISSION

PO Box 262 · 20 S Court Street · Platteville, Wisconsin 53818
Harvey Kubly, Chair · Commission Office Phone 608.342.1637 · Fax 608.342.1220
MEMBER COUNTIES: DANE · GREEN

**Wednesday, July 22, 2015, 2:00pm, Fitchburg DNR Facility,
Drumlin Conference Room, 3911 Fish Hatchery Rd, Fitchburg, WI 53571-5367**

1. **2:00 PM** **Call to Order** – *Harvey Kubly, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn, SCWRTC Administrator*

Commission members present for all/part of meeting:		Others present for all/part of meeting:
Jay Allen, Dane Co.	absent	<ul style="list-style-type: none"> • Mary Penn, Administrator • Dana White-Quam, WDNR • Kim Tollers, Dave Simon, WDOT • Mike Zimmerman – Eco. Dev. Dir. City of Fitchburg • Corey Horton – Dir. Public Works, City of Fitchburg
Jim Haefs-Flemming, Dane Co.	x	
Paul Ziehli, Dane Co. Vice Chair	x	
Harvey Kubly, Green Co., Chair	x	
Oscar Olson, Green Co.	x	
Ron Wolter, Green Co. Treasurer	x	

Commission achieved quorum.

3. Action Item. **Certification of Meeting’s Public Notice** – *Prepared by Penn*
 - *Motion to approve certification of meeting – Wolter/Haefs-Flemming, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn*
 - *Motion to approve agenda – Olson/Wolter, Passed Unanimously*
5. Action Item. **Approval of draft October meeting minutes** – *Prepared by Penn*
 - *Motion to approve October 2014 minutes with correction – Wolter/Haefs-Flemming, Passed Unanimously*

6. Updates. **Public Comment**
No public comments.

7. Updates. **Correspondence & Communications**
Penn reported on correspondence she had received or sent since the last meeting. Harvey Kubly said he had correspondence from Johnson Block for Ron Wolter to sign.

8. **SCWRTC Financial Report** – *Ron Wolter, SCWRTC Treasurer*
Ron Wolter gave the Treasurer’s Report to the Commission. He listed the checks dispersed as well. He listed one bill from Kraemer and Brownlee for \$138.29 for legal expenses.

- *Motion to approve Treasurer’s Report – Olson/Ziehli, Passed Unanimously*
- *Motion to pay bill as presented – Haefs-Flemming/Olson, Passed Unanimously*

9. **WisDOT Report**– Staff may include Kim Tollers, Roger Larson, WDOT
Kim Tollers introduced Dave Simon, who replaced Ron Adams as the new section chief. Simon said he had started in October in 2014 and gave his work history and expressed his appreciation to the Commission for inviting him to attend.

In regard to the budget, he gave some background on the budget and the FRRAP program. He said WDOT had asked for \$63 million but it was cut to \$29.8 million but WDOT had transferred enough funds from FRRIP for the biennium to make it an

even \$35 million. Simon said there were so many projects in line for money WDOT was going to create a prioritization tool to try to prioritize projects. He said there were applications from previous years as well as this year which he identified. He said Frank Huntington had returned to work as an LTE with the department one day a week. He said Tuesdays would be Huntington's work day. Simon commented that Huntington had a lot of valuable information and was going to be a really good consultant to have at hand.

Lastly, Simon said WDOT had many projects going on this summer and this was one of the biggest construction years for railroads in a long time. He listed multiple projects including sidings, tie work, bridges, mainline work: all these were on multiple lines across the state. He noted the Port of Milwaukee liquid dock project was just going out to bid. He said WDOT was doing a lot and was excited all these improvements were being made. He closed by saying WDOT was looking forward to working with the RTC.

10. WDNR Report – Dana White-Quam, DNR Regional Park Specialist

Dana White-quam said the cracking pavement issue in the northern segment of the trail was still having corrective options reviewed. She said it was frustrating after all the research to not be able to find a solution quicker. She explained what was intended to be used to fill the cracks, saying the product was from Minnesota and WDNR was hoping to get the work done this fall.

She next reported on the tunnel and/or culvert project of Hwy 11 in Monroe. She said currently the trail crossed at grade and WDOT was paying to elevate the roadway slightly and take the trail down slightly to accommodate a 10' culvert which was not to DNR standard but she said increasing it to the standard 12' would require major fill on the highway and was cost prohibitive. She said grooming equipment would not make it through the culvert so the WDNR was asking for a service road at grade to allow groomers access to the trail. She said 2017 would be the possible construction date. Kubly asked if that would be done for the entire by-pass. White-Quam did not know but Kubly said he knew it was on the drawing board. Tollers said they would not "hump" a four-lane. White-Quam said it had been delayed a couple of times. Tollers said they needed to commit to the possibility of the return of rail. White-Quam said she had repeatedly told the project coordinator this was a rail corridor. Tollers said she had not been contacted by the project leader. Simon asked if it were north of Monroe. White-Quam concurred. Tollers said this was state, not federally, rail banked so there would be more flexibility. She said a commitment was need from the highway section that they would pay to return it to railroad if necessary. White-Quam said she had been collecting comments from staff at this point.

Wolter said the highway project kept being put off. Tollers said they were going to do something next year to try to address some of the issues of potholes. Kubly said the Green County highway commissioner had said the surveying work had been done. White-Quam said she would get all the information to Tollers and Simon. Simon confirmed that Tollers would be the contact. Tollers said the design was more of a concern for the WDNR but WDOT's concern was the return of rail and the commitment for funding if rail came back.

Paul Ziehli asked about the cracking trail condition. White-Quam explained that the northern section of the trail was paved and had cracked down the center. She explained what was going to be done to correct the problem.

In regard to the Hwy 11 project, Kubly said the project should have come before the SCWRTC for approval. Tollers asked for what reason. Kubly said if they were altering the rail bed they should. Tollers said she did not know if the RTC would be apprised of highway projects like this but certainly the project should be presented to the RTC. Kubly said when a new bridge had been done in Madison, it was brought to the SCWRTC. White-Quam said it was the WDNR that was seeking concurrence on a state owned trail. She said the project at this point was "scattered" but once things were more organized, the information would be shared. Jim Haefs-Flemming related another example of a past alteration of the corridor. Tollers said the SCWRTC needed to be kept in the loop. Wolter asked why a tunnel would be put in where a railroad might go. Tollers said it was cheaper to do it this way since there was no need to buy ROW. She said funds would have to come from the highway side to replace it in kind and added that this had happened in other places with long term commitments from the highway section specifying that if railroads return the corridor gets put back "in kind". She said this was not the rail corridor's issue but the highway's issue. Simon asked about the nature of the crossing and clarification of the project. White-Quam said it might be one big long culvert, not two. Simon said if rail service ever came back, the culverts would have to come out and a bridge put in. Tollers said they would not do it now but they would have to if rail service returned.

Wolter said if a tunnel were put off to the side it could be there forever. White-Quam said that assumed they would be able to build a trail adjacent to the corridor. Oscar Olson said the service equipment needed to go around the culvert. White-Quam said there was some different equipment they had which could be used for that section of trail. It depended on the snowmobile clubs grooming by bypassing the bridge since they did not fit on it but with the new DNR equipment they could groom on it. She said even with mowing equipment if they could not get their stuff through the culvert there had to be a way to cross the highway. She said it would be gated and for maintenance use only. Simon said there was no way to depress the roadway at all. Tollers said it was a fill now. Simon said it would have to go up quite a way and added that to lower the trail "you are right

behind those people's houses". There was continued discussion about the ramifications of the project and its outcomes, including drainage. White-Quam said she had been told by the project leader that to get to 12' would require them to go further back on the highway to begin their fill so they could get up to that point, and the amount of fill was cost prohibitive. She said she was all for keeping the trail the same and changing the highway but she acknowledged the highway had needs. Wolter said he had never seen anyone on that trail and did not think it was used much. Simon said it sounded like the designer was assuming the railroad was never coming back.

Ziehli asked who the designer was and was told WDOT. Kubly said if rail came back anywhere in the corridor this would be the most likely spot since there were already industrial businesses and interests near this location and could even connect to the PRTC line.

11. SCWRTC Administrator's Report –Penn, SCWRTC Admin.

Penn reported on her administrative duties since the last meeting. She showed a map given her by Ziehli which he had found on a genealogical website and noted that a site like this actually provided some good history on railroads in the state. For one thing, it could establish the presence of roads and railroads and which came first.

12. Discussion and Possible Action on concurrence for a public crossing permit for a new street in City of Fitchburg – Kim Tollers, WDOT.

- *Motion to concur with WDOT on public crossing permit for a new street in City of Fitchburg subject to approval of the SCWRTC's staff attorney's – Ziehli/Olson, Passed Unanimously*

Tollers said the City would present the proposal to them and gave some history on this item. She said they were proposing to vacate the crossing and move it to a new location and that there had been discussions between herself and Penn about who writes the permit. Tollers said WDOT did the permits but was seeking concurrence from the SCWRTC.

Mike Zimmerman introduced himself and distributed some handouts and described the proposed project. He showed a preliminary map and explained the desired outcomes.

Tollers said the crossing permit she distributed came from 1999 and had been for the crossing shown at the top of the preliminary site map. Zimmerman said they were working for Sub-Zero Wolf and he handed out an email that described what they were doing.

Zimmerman showed a map where the business expansion would require the closing of the old crossing and the placement of the new public crossing. White-Quam asked if it were directly next to the corridor but was told it was not. White-Quam said it sounded like dead-ending Marketplace Street and asked if there would be curb and gutter and how would people be kept from crossing the trail. Corey Hartman said Sub-Zero did not want this to be a private crossing on the trail and he anticipated the road being dead-ended and then the entire crossing of the trail would be abandoned, curbed, and guttered. White-Quam said a lot of people parked there to access the trail: would there be space for them to park. Hartman said there would be parking accommodations on all the City streets. Zimmerman said the developer of this land was looking to extend and had talked about the potential of a bike-tool kit location adjacent to the trail but here were no guarantees at this point. Tollers said there was a terrible sight placement in the present crossing and removing it would make for a much better crossing in the new location if rail ever returned. Hartman said all the details of the final alignments were yet to be made. White-Quam asked about how new storm water management looked within the boundary of the corridor. Hartman said what was shown was just a conceptual drawing but if the restrictions were known those would be shown. Zimmerman said they had shared all the design specs with the engineers and it was intended to be designed for rail return.

White-Quam said she just wanted it to be certain that trail use was preserved and spoke of trail traffic versus road traffic. She said the DNR had concerns in regards to trail users as opposed to road users for a crossing. Hartman said this was what the developer was bringing forward and while not approved yet, they were anticipating it. Tollers said this was a good proposal and was actually a better solution to the crossing than currently existing.

White-Quam asked that DOT not issue to the permit until the DNR had a chance to look at the project. Tollers agreed as did Hartman. He said it was better to get it right at once then go back and fix it later. Tollers said when driving north the driver needed to look over their shoulder to see any rail traffic so it was not a 90 degree crossing. Ziehli asked if the land was pretty level. Zimmerman and Hartman both said it was much flatter and there weren't sight obstructions such as buildings and trees and there was not a big "S" curve to negotiate.

Simon asked where the storm water overflow went. Harman described a unique pond with a service pipe for collection. He noted as such it would need to be maintained. There was more discussion about the storm water and where it would go, referenced by the map handout. Zimmerman said this was part of a neighborhood plan.

Kubly asked when they wanted approval. Zimmerman said he hoped today subject to meeting the design specs. He said the joint review board of Fitchburg had unanimously supported this project and had created a TIF district to aid the project's desirability for Sub-zero. Hartman said Sub-zero and the City wanted to know if this road was going to work. When the City vacated the old drive, they wanted assurance that there would be a connection. Kubly said perhaps they could do this today subject to approval by the staff attorney which was the usual way the RTC did things. Tollers said WDOT would be in touch and once the permit was drafted, SCWRTC's crop counsel could review along with WDOT.

13. Discussion and Possible Action on 2016 SCWRTC draft Budget – Mary Penn, SCWRTC Admin.

- *Motion to change the interest revenue amount to \$1200 in 2016 SCWRTC draft budget - Haefs-Flemming/Olson, Passed Unanimously*
- *Motion to approve 2016 SCWRTC budget – Ziehli/Wolter, Passed Unanimously*

Penn presented the budget saying it was basically the same as the 2015 one except she had adjusted the amount of interest revenue lower. Wolter pointed out that the interest reported in the treasurer's report was essentially the same as last year's (\$1,200.00). Penn said she would correct the budget to reflect that interest amount.

14. Consideration and Possible Action on 2016 Staff Services Agreement with SWWRPC – Mary Penn, SCWRTC Admin.

- *Motion to approve 2016 Staff Services Agreement with SWWRPC – Ziehli/Wolter, Passed Unanimously*

Ziehli asked Penn about the tax bills sent from the Stephenson County. Penn reported that she had received them all but they were all bills for zero dollars as had been agreed. Penn gave the contract to Kubly, telling the Commission that it was the same contract as last year other than the updated dates.

15. Action Item – Adjournment

- *Motion to adjourn at 3:25PM – Haefs-Flemming/Ziehli, Passed Unanimously*

Prior to adjournment Simon asked about the nature of the SCWRTC and quick overview of it and why the Commissioners were here. Kubly said the RTC's mission was to preserve the corridor and the reason for its existence. He said that many years ago the corridor was leased to the DNR for a trail. He added that one unique thing about this commission was that there was property owned by the RTC in Illinois. Tollers said the WDOT could not own property outside of the State. Kubly said Stephenson County did not have any interest when the RTC was formed and the portion south of the Wisconsin State line was the first to be converted to trail.

Simon asked if there were any tracks or ties owned by the SCWRTC and if south of the border any of the infrastructure was owned the IL DNR. Tollers said WDOT owned the land in Wisconsin, in Illinois it was owned by the SCWRTC.

Simon asked if there was any consideration to combine with the WRRTC. Kubly said he thought it went back to its formation by Green and Dane counties. Simon said it kind of went by segment of rail corridor. Tollers said this was a different railroad and the other RTCs were Milwaukee Road segments. She said a couple of rail segments came to WDOT via bankruptcy. Haefs-Flemming asked if the WRRTC would be involved in the Reedsburg line and asked Penn about the Pink Lady RTC. Tollers said the Pink Lady was organized to promote rail and it would stay as an entity. Simon asked if WSOR wanted to build rail to Monroe, would they use the RTC corridor. He said when big highway projects were done, the RTC stood to keep the rail corridor open. Kubly said the language in those cases was specific to their permits and agreements and the cost of returning to rail was on them.

Kubly spoke about the events that led to the creation of the RTC's and the efforts made to save rail service. Simon said if that had not happened, the corridor would be lost forever. White-Quam said when the railroad petitioned for abandonment, the WDOT had the first right of refusal, then WDNR. Tollers said it could be any trail sponsor. There was discussion about the needs of trail creation to use the corridor. Kubly said on the PRTC it was somewhat like SCWRTC as it had trail but it also had active rail and he noted that the corridor from Monroe to Mineral Point was owned by the PRTC. Tollers said the rail conversion language was in place on this section as well.

There was a short discussion about the possibility of rail coming back on the cheese country trail and why that did not happen in the past. Olson said there was no corridor between Gratiot and Shullsburg.