

**Minutes of the  
East Wisconsin Counties Railroad Consortium  
Meeting of May 11, 2011**

**East Wisconsin Counties Railroad Consortium Meeting** was called to order by Chairman Jerry Holub on May 11, 2011, at 10:00 a.m., at Cabela's, One Cabela Way, Richfield, Wisconsin.

**Certification Of Public Notice:** Attorney John F. Corey certified that the notice of this meeting complies with all applicable requirements of Wisconsin's open meetings law.

Roll call was taken.

**Present:** Vern Gove and Kenneth Hutler, Columbia County; Russell Kottke and Edwin J. Qualmann, Dodge County; Joseph Koch and Robert Fox, Fond du Lac County; Eugene Henke, Green Lake County; Theodore Lipscomb, Milwaukee County; Robert Walerstein and Rose Hass Leider, Ozaukee County; Jerald Holub and Richard Bemis, Sheboygan County; Dan Goetz and Rick Gundrum, Washington County; and Stan Kline and Jef Hall, Winnebago County.

**Excused:** Alma Hedberg, Green Lake County; and Mark Borkowski, Milwaukee County.

**Others Present:** Dan Amato, Representative of Columbia County Economic Development; Charles Beck, Citizen; Ken Hypki, Ozaukee County; Joseph Klein, Ozaukee County; Ben Meighan and Tim Karp, WSOR; Frank Huntington, WisDOT Bureau of Railroads and Harbors; John F. Corey, Dodge County Corporation Counsel; and Kelly L. Lepple, Recording Secretary.

**Public Comment:** Dan Amato reported that the Common Council of the City of Columbus adopted a resolution urging the State of Wisconsin, the federal government, and all entities studying and making recommendations for the mid-west regional high speed rail service to support siting the rail service on the Amtrak Empire Builder route with Columbus, Wisconsin as a boarding/alighting station. Dan Goetz reported that he received a letter from Wolf Brothers Fuel Inc. stating its concerns about the condition of the railroad corridor that is located near its business site at 1985 State Highway 175, Richfield, Wisconsin.

**Approval of Minutes of March 23, 2011:** Motion by Bemis/Gove to approve the minutes of the March 23, 2011 meeting, as presented. Motion carried by unanimous vote.

**Financial Report:** Ed Qualmann reported the following: The balance in the checkbook as of February 28, 2011 was \$1,000.00. Deposits were \$168,760.00. Expenditures were \$27,207.32. Transfers were \$136,862.68. As of March 31, 2011 the balance in the checkbook was \$5,690.00. Total EWCRC Money on Deposit in the Investment Account as of March 31, 2011 is \$639,074.42. Motion by Gundrum/Goetz to approve the financial report. Motion carried by unanimous vote.

**Consider, Discuss and Take Action on EWCRC Annual Audited Financial Report for 2010 by Johnson Block & Company, Inc.:** There was consideration of and discussion about the annual audited financial report for 2010 prepared by Johnson Block & Company, Inc. John Corey reported that at the March 23, 2010, meeting of the Board of Directors of the EWCRC, the Board of Directors decided that each member of the Board of Directors would review the audited financial

report, and if any member of the Board of Directors had questions or determined that it was necessary for Jim Block to make an in-person presentation regarding the annual audited financial report for 2010, that the Board of Directors would authorize and direct Jim Block to do so, and the Board of Directors would pay to Johnson Block & Company, Inc., a presentation fee in the amount of \$300.00. Motion by Kline/Hutler to approve the 2010 Financial Report as presented in written form. Motion carried by unanimous vote.

**Consider, Discuss, Approve and Authorize Payment of Invoice of Johnson Block & Company, Inc., for Services Provided in Preparing the 2010 Audited Financial Report:** There was consideration of and discussion about the invoice that was presented for payment from Johnson Block & Company, Inc., in the amount of \$1,800.00 for services provided in preparing the 2010 EWCRC audited financial report. Motion by Hall/Kline to approve payment of this invoice and to authorize and direct the Office of Dodge County Corporation Counsel to send payment to Johnson Block and Company, Inc., in the amount of \$1,800.00 for services provided in preparing the 2010 EWCRC audited financial report. Motion carried by unanimous vote.

**Consider, Discuss, Approve and Authorize Payment of Invoice of Dodge County for Services Provided by the Dodge County Finance Department in 2010:** There was consideration of and discussion about the statement for services that was presented for payment from Dodge County, in the amount of \$325.00, for services provided by the Dodge County Finance Director and staff, in recordkeeping, accounting assistance, and in preparing the EWCRC Annual Financial Report for 2010. Motion by Walerstein/Gove to approve payment of this invoice and to authorize and direct the Office of Dodge County Corporation Counsel to send payment to Dodge County, in the amount of \$325.00 for services provided by the Dodge County Finance Director and staff, in recordkeeping, accounting assistance, and in preparing the EWCRC Annual Financial Report for 2010. Motion carried by unanimous vote.

**Consider, Discuss, Approve and Authorize Payment of Invoice of Dodge County for Services Provided by the Corporation Counsel Office in 2010:** There was consideration of and discussion about the statement for services that was presented for payment from Dodge County, in the amount of \$8,870.43, for services provided by the Dodge County Corporation Counsel and staff in 2010. John Corey reviewed and explained the invoice. Motion by Gove/Walerstein to approve payment of this invoice and to authorize and direct the Office of Dodge County Corporation Counsel to send payment to Dodge County, in the amount of \$8,870.43, for services provided by the Dodge County Corporation Counsel and staff in 2010. Motion carried by unanimous vote.

**Consider, discuss, and take action to remove from the table and to approve Operating Agreement For Rail Service Continuation By and Between East Wisconsin Counties Railroad Consortium and Wisconsin & Southern Railroad Co., Agreement No. 0490-40-51 (F-1):** Motion by Kline/Fox to remove this matter from the table. Motion carried by unanimous vote. There was consideration of and discussion about approving the Operating Agreement For Rail Service Continuation By and Between East Wisconsin Counties Railroad Consortium and Wisconsin & Southern Railroad Co., Agreement No. 0490-40-51 (F-1) to include the Gibson Line as part of trackage or improved property. John Corey reported that at the last meeting there was a motion not to take action on this agenda item and to table this matter to the next meeting, because a similar agreement, also drafted by WisDOT, is pending before the Surface Transportation Board and WisDOT has requested the Surface Transportation Board to approve it, and in the event that the Surface Transportation Board approves the agreement pending before it, then it is likely that the

Surface Transportation Board will also approve Agreement No. 0490-40-51(F-1) in its current written form, after it has been submitted to the Surface Transportation Board for approval, and, on the other hand, in the event that the Surface Transportation Board does not approve the agreement pending before it, then it is likely that the Surface Transportation Board will not approve Agreement No. 0490-40-51(F-1) in its current written form, and it will be necessary to redraft Agreement No. 0490-40-51(F-1) in order to gain Surface Transportation Board approval. Motion by Hall/Gundrum to lay this matter over to the next meeting of the EWCRC scheduled for July 13, 2011. There was discussion about when the Surface Transportation Board will take action on WisDOT's pending agreements. Frank Huntington reported that he does not know when the Surface Transportation Board will take action on WisDOT's pending agreements and that he does not know the extent in nature of the changes, if any, that will be required to be made to Agreement No. 0490-40-51(F-1) in its current written form, in order to gain Surface Transportation Board approval. Hall/Gundrum withdrew their motion to lay this matter over to the next meeting of the EWCRC scheduled for July 13, 2011. Motion by Hall/Gundrum to table this matter indefinitely. Motion carried by unanimous vote.

**Consider, discuss, and take action to remove from the table and to approve Grant Agreement For Rail Service Continuation By and Between East Wisconsin Counties Railroad Consortium and Wisconsin Department of Transportation, Agreement No. 0490-40-51 (B-1) and Land Use Agreement By and Between East Wisconsin Counties Railroad Consortium and Wisconsin Department of Transportation, Agreement No. 0490-40-51 (A-1):** Motion by Kline/Hall to remove this matter from the table. Motion carried by unanimous vote. Motion by Hall/Kline to table this matter indefinitely. Motion carried by unanimous vote.

**Update on the Plymouth to Sheboygan Falls Rail Line Rebuild Project:** Jerry Holub made the following report: That the Sheboygan County Joint Transportation and Finance Committee adopted a resolution to be considered by the Sheboygan County Board of Supervisors at its meeting scheduled in May of 2011. In the event that the resolution is adopted, Sheboygan County will contribute to the local match part of the funding required for the Plymouth to Kohler rail line rebuild project, the money it had previously pledged to contribute. This contribution by Sheboygan County is contingent upon the contribution by all other businesses and municipalities of the amounts of money that they had previously pledged to contribute to the local match part of the funding required for the Plymouth to Kohler rail line rebuild project. A local match of \$3 million is required. \$2 million has been pledged. The Sheboygan County Economic Development Corporation Director is continuing the process of applying for a \$1 million T Grant. A resolution by the City of Plymouth to contribute to the local match was tabled during its meeting in April of 2011. The resolution will be on the agenda for a meeting to be held in late May of 2011.

**Consider, Discuss and Take Action on Rehabilitation Projects for 2010 to be Funded in Part by the EWCRC:** There was consideration of and discussion about the specific rehabilitation project to which the EWCRC will apply its 2010 member county contributions. WSOR requested that the EWCRC use all of its 2010 member county contributions in the amount of \$200,000 for the North Milwaukee to Slinger Phase II Rail Replacement rehabilitation project. Motion by Kline/Walerstein to use all of EWCRC's 2010 member county contributions in the amount of \$200,000 for the North Milwaukee to Slinger Phase II Rail Replacement rehabilitation project and to authorize and direct the Office of Dodge County Corporation Counsel to pay invoices to WSOR for this project in a total amount not to exceed \$200,000. Motion carried by unanimous vote.

**Consider, Discuss and Take Action on EWCRC Response to Joint Finance Committee's Action to Decrease FRPP Funding for 2011-2013 Biennial Budget:** There was consideration of and discussion about the action of the Joint Finance Committee to decrease Freight Railroad Preservation Program (FRPP) funding for the 2011-2013 Biennial Budget. WSOR requested that the EWCRC send a letter to the Members of the Joint Committee on Finance, Governor Scott Walker, and the Wisconsin Legislative Delegation urging them to restore the \$60 million funding level to the FRPP for the 2011-2013 State Biennial Budget. Motion by Kline/Hall to direct WSOR to work with the Office of Dodge County Corporation Counsel to draft a letter for the approval and signature of Chairman Holub to send to the Members of the Joint Committee on Finance, Governor Scott Walker, and the Wisconsin Legislative Delegation to restore the \$60 million funding level to the Freight Railroad Preservation Program for the 2011-2013 State Biennial Budget. Motion carried by a vote of 14 ayes and 2 noes.

**Consider, Discuss and Take Action on Report of WSOR:** Ben Meighan reported the following: Materials are being delivered along the North Milwaukee to Slinger rail line which will be used to rehabilitate the crossings and the switches that have not yet been rehabilitated. Rehabilitation work will begin again in the next 2 to 3 weeks. WSOR is doing some spot tie work and bridge work on the Plymouth Subdivision. WSOR has recently hired about 20 seasonal employees and will soon be hiring more. The tie gang is working on the Prairie du Chien line. After the tie gang completes work there it will move to the Northern Division to do some preliminary tie installation on the Milwaukee Subdivision. Rail traffic has been very strong. WSOR has been hauling wind turbine components into Columbia County where they are off loaded. The components will be erected in the Glacier Hills Wind Park in the Towns of Randolph and Scott in the northeast part of Columbia County. WSOR Northern Division Roadmaster Jim Sukopp retired in January of 2011. Matt Meekma of WSOR has been hired as the new WSOR Northern Division Roadmaster.

**Date, time, and place of next meeting (July 13, 2011):** The next regular EWCRC meeting will be held on July 13, 2011, at 10:00 o'clock a.m. Fond du Lac County will host the meeting.

Motion by Bemis/Leider to adjourn. Motion carried by unanimous vote.

Meeting adjourned at 11:20 a.m.

Respectfully submitted,

  
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Jeff Hall, Secretary

**Disclaimer:** The above minutes may be approved, amended or corrected at the next committee meeting.