

**Minutes of the
East Wisconsin Counties Railroad Consortium
Meeting of September 12, 2007**

East Wisconsin Counties Railroad Consortium Meeting was called to order by Chairman Dan Goetz on September 12, 2007, at 10:00 a.m., at La Sure's Banquet Hall, 3125 S. Washburn Street, Oshkosh, Wisconsin.

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

Roll call was taken.

Present: Donald DeYoung, Columbia County; Russell Kottke and Edwin J. Qualmann, Dodge County; Joseph Koch, Fond du Lac County; Robert Walerstein, Ozaukee County; Jerald Holub and Duffy Reimer, Sheboygan County; Lawrence Hoffman and Daniel Goetz, Washington County; and Stan Kline and Jef Hall, Winnebago County.

Excused: Kenneth Hutler, Columbia County, Dick Flood, Fond du Lac County; Rose Hass Leider, Ozaukee County; Orville Biesenthal and Dennis Galatowitsch, Green Lake County.

Others Present: Jerry Thompson, Railroad Services Coordinator for the City of Plymouth; Shelly Bernhagen, Badger Mining Company; Bill Gardner and Ken Lucht, WSOR; Dan Amato, City of Columbus Representative/Columbia County Economic Development Corporation; Roger Larson, WisDOT District Railroad Coordinator; Frank Huntington, WisDOT Bureau of Rails and Harbors; John F. Corey, Dodge County Corporation Counsel; and Kelly L. Lepple, Recording Secretary.

Welcome to Winnebago County: Mark Harris, Winnebago County Executive, welcomed everyone to Winnebago County.

Public Comment: Chairman Goetz asked everyone to turn their cell phones off or put them on vibrate during the EWCRC meeting.

Approval Of Minutes Of July 11, 2007: Motion by Kline/Hall to approve the minutes of the July 11, 2007, meeting as presented. Motion carried by unanimous vote.

Approval Of Minutes Of August 10, 2007: Motion by Kline/Kottke to approve the minutes of the August 10, 2007, meeting as presented. Motion carried by unanimous vote.

Financial Report: Ed Qualmann: The balance in the checkbook on July 11, 2007, was \$1,000.00. There were no deposits. There were no expenditures. There were no transfers to the AIM investment account. As of September 12, 2007, the balance in the check book was \$1,000.00. Total EWCRC Money on Deposit in the AIM investment account as of July 31, 2007, is \$202,325.96. Motion by Holub/Koch to approve the financial report as presented. Motion carried by unanimous vote.

Milwaukee County Audit and Finance Committee Meeting Scheduled for September 20, 2007:

John Corey stated that at the June 14, 2007, meeting of the Milwaukee County Audit and Finance Committee it considered Resolution File 07-252, which is a resolution calling for Milwaukee County to join the EWCRC. John Corey further stated that based upon discussion and questions raised at the meeting, the members of the Milwaukee County Audit and Finance Committee asked that further information be provided to them before they would further consider the Resolution. John Corey further stated that this matter will be on the Agenda for the September 20, 2007, meeting of the Audit and Finance Committee. John Corey also stated that he received a copy of a Report on Resolution File 07-252 East Wisconsin Counties Rail Consortium, dated September 5, 2007, addressed to Richard D. Nyklewicz, Jr., Chairman of the Milwaukee County Finance and Audit Committee, from Brian Dranzik, Legislative Research Analyst. John Corey read to the members of the Board of Directors of the EWCRC the Report drafted by Brian Dranzik, Legislative Research Analyst. John Corey also read to the members of the Board of Directors of the EWCRC a draft of the proposed response of the EWCRC to the Report of Brian Dranzik, Legislative Research Analyst. There was discussion about the proposed response of the EWCRC. There was discussion about who should attend the September 20, 2007, meeting of the Audit and Finance Committee. It was suggested that one person from each member county attend the meeting. It was requested that a copy of the Report on Resolution File 07-252, East Wisconsin Counties Rail Consortium be attached to the minutes of this meeting.

Reminder of Railroad Inspection Tour Scheduled for September 26, 2007, at 8:00 a.m.: Ken Lucht stated that tour activities will begin at N. Milwaukee where members will board a bus and travel to Plymouth. At Plymouth, members will board a state-of-the-art theatre railcar, and will travel in the theatre railcar on the track between Plymouth and N. Milwaukee. Ken Lucht stated that the purposes of the railroad inspection tour will be to inspect railroad track, ties, ballast, and other railroad infrastructure, to view business plants that are located along the rail line, and to learn about additional new businesses that have expressed interest in locating plants along the rail line.

Bylaws of the EWCRC: Stan Kline and Jef Hall have been working on the revisions of the Bylaws of the EWCRC. A copy of the revised Bylaws will be sent out to all county members of the EWCRC with the next meeting packet for their review. This matter will be put on the December 12, 2007, EWCRC Agenda for further discussion.

Update of Rail Restoration 15 Program: Ken Lucht stated that the RR15 Program is currently in Conference Committee. The Conference Committee is a committee which consists of members of both houses of the legislature whose function is to work out their differences when the two houses pass different versions of the same bill. Ken Lucht handed out a document entitled East WI Counties RR Consortium State Legislative Delegation Pertaining to RR15 Proposal/Key Legislators to contact to support RR15 in Conference Committee. Ken Lucht encouraged the members of the EWCRC to contact their local legislators and the legislators who serve on the Conference Committee to voice their support for the RR15 Program and to encourage legislators to enact legislation to fully fund the RR15 Program. John Corey stated that at the July 17, 2007, County Board Meeting, Dodge County adopted a Resolution supporting the RR15 Program. John Corey further stated that he would provide a copy of Dodge County's Resolution in Support of the RR15 Program to anyone who is interested in sponsoring a resolution at the County Board level.

The Consortium may convene in closed session for the purpose of conducting specified public business, which, because of competitive or bargaining reasons, requires a closed session, namely, considering an Operating Agreement for Rail Service Continuation by and between the East Wisconsin Counties Railroad Consortium and the Wisconsin & Southern Railroad Company and considering an Operating Agreement for Rail Service Continuation by and between the East Wisconsin Counties Railroad Consortium and the Wisconsin Department of Transportation: There was a motion by Hall/Walerstein, to convene in closed session. Before voting on the Motion, Chairman Gotez announced to all present that the purpose of the closed session meeting is to conduct specified public business, which, because of competitive or bargaining reasons, requires a closed session, namely, considering an Operating Agreement for Rail Service Continuation by and between the East Wisconsin Counties Railroad Consortium and the Wisconsin & Southern Railroad Company and considering an Operating Agreement for Rail Service Continuation by and between the East Wisconsin Counties Railroad Consortium and the Wisconsin Department of Transportation. A roll call vote was taken. Motion carried by unanimous vote of all members present, at 11:12 o'clock A.M.

The following individuals were present for the closed session: Donald DeYoung, Columbia County; Russell Kottke and Edwin J. Qualmann, Dodge County; Joseph Koch, Fond du Lac County; Robert Walerstein, Ozaukee County; Jerald Holub and Duffy Reimer, Sheboygan County; Lawrence Hoffman and Daniel Goetz, Washington County; and Stan Kline and Jef Hall, Winnebago County.

There was consideration, deliberation and discussion to conduct specified public business, which, because of competitive or bargaining reasons, requires a closed session, namely, considering an Operating Agreement for Rail Service Continuation by and between the East Wisconsin Counties Railroad Consortium and the Wisconsin & Southern Railroad Company and considering an Operating Agreement for Rail Service Continuation by and between the East Wisconsin Counties Railroad Consortium and the Wisconsin Department of Transportation.

Motion by Walerstein/Koch to reconvene in open session. A roll call vote was taken. Motion carried by unanimous vote of all members present, at 12:28 o'clock P.M.

Recess for Lunch at 12:28 o'clock P.M.

Reconvene at 1:07 o'clock P.M.

Report of WSOR: Ken Lucht reported that on August 10, 2007, WSOR held its 9th Annual State of the Railroad Address. Ken Lucht also reported that WSOR is still working on the tie replacement rehabilitation project between Horicon and Hartford (Goodland Road) where WSOR has already replaced 15,000 ties. WSOR has yet to build some switches and reconstruct bridges and crossings. This project will cost about \$2 million and is funded 80% by WisDOT, approximately 15% by WSOR, and approximately 5% from the counties in the Northern Division. Ken Lucht further reported on the rail replacement rehabilitation project in the Southern Division on the Fox Lake Subdivision between Janesville and Chicago. This is WSOR's only access point into Chicago. Almost all of the traffic that goes to Chicago from the Northern Division travels over this segment. The rail replacement rehabilitation project consists of approximately 14 miles of continuous welded

rail between Avalon and Walworth. This rail replacement rehabilitation project will be completed within the next couple of weeks. WSOR is also reconstructing crossings and some bridges in this area. By the middle of October, this project should be completed. This project is funded 80% by WisDOT, approximately 15% by WSOR, and approximately 5% from WRRTC. Over the last couple of months, WSOR has had numerous washouts because of the heavy rains. Most of the washouts have occurred on the Southern Division. Due to the washouts the Watertown Subdivision between Madison and Watertown was out of service for about one week. The Reedsburg Subdivision was also out of service for a couple of days because of washouts. There was a washout on the Prairie du Chien Subdivision between the Mississippi River and Madison. There was also a derailment near Wauzeka as a result of a washout.

Bill Gardner asked for comments and feedback on the presentation that he made at the 9th Annual State of the Railroad Address. Various members commented that Bill Gardner's presentation was very informative and presented well. Bill Gardner stated that he had hoped to see more State Representatives or their aides in attendance. Bill Gardner also reported that WSOR is shipping a lot of grain, including wheat. WSOR is shipping about 45 railcars of wheat a week to Nidera Elevator in Milwaukee at the Port of Milwaukee. For Olsen's Grain in Oshkosh, WSOR is shipping about 775 railcars which are going down to Milwaukee to Olsen's Grain Elevator, and other elevators are shipping to Nidera. The load capacity of one railcar is approximately equal to the load capacity of 4 semi-trailers. So, shipping 775 railcars of grain is approximately equal to canceling 3,000 highway trips by truck and semi-trailer to the Menomonee River Valley in Milwaukee, including travel on the Marquette Interchange or the Zoo Interchange. Milwaukee County has benefited from WSOR taking product downtown and keeping trucks off the roads. If 100 railcars per month travel to Nidera at the Port of Milwaukee, that means that 400 trucks are not traveling down there. These are some of the indirect things that the WSOR and the EWCRC need to make Milwaukee County aware of. Bill Gardner further stated that the canning season, in particular, sweet corn, has been good to WSOR. WSOR has been shipping for Seneca Foods in Mayville, along with Del Monte in Markesan and Seneca Foods in Cambria. Bill Gardner reported that WSOR had a bridge fire south of Kiel. Bill Gardner stated that this fire was not accidental. Bill Gardner also reported that there was a crash at Goodland Road, on September 11, 2007. Bill Gardner further reported that WSOR is surfacing the line between Pickett and Oshkosh in order to level the track.

Time, date, and place of next meeting (December 12, 2007). The next regular EWCRC meeting will be held on Wednesday, December 12, 2007, at 10:00 o'clock a.m., in Columbia County, at Dino's Restaurant, 2900 New Pinery Road, Portage, Wisconsin.

Motion by Holub/Kline to adjourn. Motion carried by unanimous vote.

Meeting adjourned at 1:30 p.m.

Respectfully submitted,

Jef Hall, Secretary