

**Minutes of the
East Wisconsin Counties Railroad Consortium
Meeting of November 10, 2010**

East Wisconsin Counties Railroad Consortium Meeting was called to order by Chairman Jerry Holub on November 10, 2010, at 10:00 a.m., at the Ozaukee County Administration Building, 121 W. Main Street, Port Washington, Wisconsin.

Certification Of Public Notice: Attorney William V. Gruber certified that the notice of this meeting complies with all applicable requirements of Wisconsin's open meetings law.

Tom Meaux, Ozaukee County Administrator, welcomed everyone to Ozaukee County.

Roll call was taken.

Present: 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; Mark Borkowski and 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 Jef Hall and Stan Kline, Winnebago County.

Excused: Vern Gove, Columbia County; and Alma Hedberg, Green Lake County.

Others Present: Tom Meaux, Ozaukee County Administrator; Charles Beck, Citizen; David Schwengel, Citizen; Ken Hypki, Ozaukee County; Don Pohlman, Mayor for the City of Plymouth; Dan Amato, Representative of Columbia County Economic Development; Bill Gardner and Ken Lucht, WSOR; Frank Huntington and Ethan Johnson, WisDOT Bureau of Railroads and Harbors; William V. Gruber, Dodge County Assistant Corporation Counsel; and Kelly L. Lepple, Recording Secretary.

Public Comment: Dan Amato commented on funding for passenger rail service between Milwaukee and Madison.

Approval of Minutes of September 8, 2010: Motion by Koch/Gundrum to approve the minutes of the September 8, 2010, meeting, as presented. Motion carried by unanimous vote.

Approval of Minutes of October 6, 2010: Motion by Walerstein/Hutler to approve the minutes of the October 6, 2010, meeting, as presented. Motion carried by unanimous vote.

Financial Report: Ed Qualmann reported the following: The balance in the checkbook as of August 31, 2010, was \$1,000.00. There were no deposits. There were no expenditures. There were no transfers. As of October 31, 2010 the balance in the checkbook was \$1,000.00. Total EWCR Money on Deposit in the Investment Account as of October 31, 2010 is \$497,440.55. Motion by Hall/Leider to approve the financial report. Motion carried by unanimous vote.

Consider, Discuss, and Take Action on the Level of Funding by Member Counties for 2011:

Chairman Holub asked that each member county of the EWCRC report its level of funding for 2011. Each member county of the EWCRC reported as follows: Columbia County – \$25,000; Dodge County – \$25,000; Fond du Lac County – \$25,000; Green Lake County – \$25,000; Milwaukee County - \$25,000; Ozaukee County – \$25,000; Sheboygan County – \$25,000; Washington County – \$25,000; and, Winnebago County – \$25,000. Motion by Walerstein/Hall to authorize and direct John Corey to send invoices in the amount of \$25,000, in January, 2011, to each member county of the EWCRC for its member county contribution for 2011. Motion carried by unanimous vote.

Update on the Plymouth to Sheboygan Falls Rail Line Rebuild Project: There was discussion about the Plymouth to Sheboygan Falls Rail Line Rebuild Project. Jerry Holub and Mayor Don Pohlman reported the following: Sheboygan County applied to the federal government for TIGER II funding. Sheboygan County’s request for TIGER II funding was turned down. The Mayor of Plymouth and the Mayor of Sheboygan Falls are currently considering a plan to complete the rebuild project in phases or stages. They want to make sure that WisDOT retains in its budget, the money that WisDOT had allocated for this rebuild project. They plan to work with local businesses, the City of Sheboygan, the City of Sheboygan Falls, and the City of Plymouth to contribute to the required local match of \$3 million. The City of Plymouth has allocated \$1 million through TIF 4 funds. They plan to move ahead with this opportunity to work with WSOR, local businesses, and other cities to start and complete at least a “Phase One” project from Plymouth to Sheboygan Falls, and to show that there is interest in the rebuild project and that businesses are willing to financially participate in it.

Consider, Discuss, and Take Action on Rehabilitation Projects for 2010 to be Funded in Part by EWCRC: Ken Lucht reported the following: WSOR did not complete a rehabilitation project in 2009 because of the recession. WSOR will not ask the EWCRC to take action today on rehabilitation projects for 2010 because WSOR has not yet received official notification from WisDOT regarding the specific projects that will be funded by state grant funds for 2010. It is very likely that the 2010 rehabilitation project in the Northern Division will include another phase of the current project, which is rehabilitation of crossings and switches on the Milwaukee Subdivision, which extends from the City of Milwaukee to Slinger. The Milwaukee Subdivision is one of WSOR’s mainline corridors and it is in need of rehabilitation. It is likely that WisDOT will soon identify to WSOR the rehabilitation project in the Northern Division that WisDOT will fund for 2010. WSOR will report and make a presentation at the next EWCRC meeting setting forth a funding strategy for WSOR’s projects in the Northern Division for 2010.

Consider, Discuss, and Take Action to Revise the WisDOT / EWCRC / WSOR Grant and Operating Agreements: Frank Huntington reported the following: The amendments that were approved by the Board of Directors of the EWCRC on August 18, 2010 and on September 8, 2010 need to be rescinded and new separate agreements need to be drafted by WisDOT to include the Gibson Line as part of trackage or improved property. Frank Huntington will draft new separate agreements for review by John F. Corey. The basic change that will be made in the agreements is that in the event the Operator is in default of the agreements, and refuses or is unable to cure the default after being requested by the Commission and WisDOT to do so, then, the Commission and WisDOT may seek to terminate the freight rail service provided by the Operator by prosecuting an

application with the Surface Transportation Board for the adverse discontinuance of freight rail service by Operator. Chairman Holub requested that copies of the proposed agreements be sent out to the board of directors for review prior to the January, 2011 meeting.

Consider, Discuss, and Take Action on Report of WSOR: Ken Lucht reported the following: WSOR has completed brush cutting for the year. WSOR has completed application of herbicides along the railroad corridors to control weeds and vegetation for the year. WSOR surfaced the track on the Oshkosh to Markesan and Cambria Subdivisions over this past Summer and early Fall. WSOR has completed most of its major maintenance activities for the year. WSOR is doing a lot of rehabilitation work in the Southern Division, between Madison and Milton Junction. WSOR installed approximately 16 miles of continuous welded rail there. WSOR will surface the track between Madison and Milton Junction yet this year. WSOR recently completed a tie replacement project on a 33-mile section of track between Janesville and Monroe. WSOR is currently working on a rehabilitation project in the Northern Division, between Milwaukee and Slinger, consisting of the rebuilding of crossings and switches. The next phases of that rehabilitation project will be major tie replacement, removal of existing rail, and installation of continuous welded rail. WSOR will continue to install continuous welded rail in the Southern Division, between Madison and Stoughton. In the event that WSOR will receive the necessary funding in 2011, it will install 3 to 4 miles of continuous welded rail between Milwaukee and Slinger. WSOR will reconstruct various failed bridge structures in the Southern Division. Business has been picking up for WSOR. The 2011 WSOR calendars are being printed. As soon as the calendars arrive in Milwaukee, WSOR will mail one calendar to each member of the EWCRRC.

Date, time, and place of next meeting (January 6, 2011): The next regular EWCRRC meeting will be held on January 6, 2011, at 10:00 o'clock a.m. Sheboygan County will host the meeting in Plymouth, Wisconsin.

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

Meeting adjourned at 11:38 a.m.

Respectfully submitted,



Jeff Hall, Secretary

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