

**Minutes of the  
East Wisconsin Counties Railroad Consortium  
Meeting of July 10, 2019**

**East Wisconsin Counties Railroad Consortium Meeting** was called to order by Chairman Thomas Winker on July 10, 2019, at 10:00 a.m., at the Ozaukee County Administration Center Auditorium, located at 121 W. Main Street, Port Washington, Wisconsin.

**Certification of Public Notice:** Kimberly A. Nass certified that the notice of this meeting complies with all applicable requirements of Wisconsin's open meetings law.

Roll call was taken.

**Present:** Russell Kottke and Jeffrey Caine, Dodge County; Joseph Koch and Karen Madigan, Fond du Lac County; Dennis Mulder, Green Lake County; Thomas E. Winker and Donald Dohrwardt, Ozaukee County; Roger Te Stroete and Jim Glavan, Sheboygan County; Jeff Schleif and Robert Hartwig, Washington County; and, Larry Smith and Joel Rasmussen, Winnebago County.

**Excused:** James E. Foley, Columbia County; Vicki Bernhagen, Green Lake County; Milwaukee County; Richard Bemis, Sheboygan County.

**Others Present:** Ken Lucht, WSOR; Rich Kedzior and Edward Singer, WisDOT; Don Pohlman, Mayor of the City of Plymouth; Kimberly A. Nass, Dodge County Corporation Counsel; and, Kelly L. Lepple, Recording Secretary.

**Public Comment:** Don Pohlman, Mayor of the City of Plymouth, thanked everyone on the EWCRC for its interest in the railroad and freight rail.

**Approval of Minutes of March 13, 2019:** Motion by Schlieff/Rasmussen to approve the minutes of the March 13, 2019 meeting, as presented. Motion carried by unanimous vote.

**Financial Report:** Russell Kottke reported the following: The balance in the checkbook as of February 28, 2019, was \$1,003.86. Deposits were \$225,005.24. Expenditures were \$4,523.73. Transfers were \$220,481.68. Total EWCRC money on deposit in the Local Government Investment Pool as of June 30, 2019, is \$673,612. Motion by Glavan/Caine to approve the Financial Report. Motion carried by unanimous vote.

**Consider, discuss, and take action on the level of funding by member counties for 2020:** There was consideration of and discussion about the level of funding for member counties for 2020. Motion by Smith/Dohrwardt that the Board of Directors of the EWCRC recommend that each member county budget \$25,000 for its 2020 member county contribution to the EWCRC. Motion carried by unanimous vote.

**Consider, discuss and take action on Freight Rail Preservation Program Support Letter for 2019/2021 Biennial State Budget:** Ken Lucht reported that this agenda item was requested several months earlier in anticipation of lengthy state budget process. Ken Lucht reported that the Governor signed the budget for the 2019-2021 Biennium and approved \$30 million of bonding authority for the Freight Railroad Preservation Program. WSOR is no longer asking for a support letter from the EWCRC. Ken Lucht reported on the visits to the State Capitol in May and June.

**Consider and discuss Freight Rail Preservation Program, 2019/2021 State of Wisconsin Budget and potential projects:** Rich Kedzior reported that the Northwoods Rail Transit Commission has expressed concerns about the condition of its tracks and bridges. Rich stated that he asked for more dollars to be allocated to the FRPP so that WisDOT could award monies to more rehabilitation projects around the State of Wisconsin.

**Consider, discuss and take action on the Bylaws of the EWCRC:** There was consideration of and discussion about revisions to the Bylaws of the EWCRC. Kim Nass stated that language in certain Articles and Sections of the Bylaws need to be addressed and clarified as follows:

- **Article II – Board of Directors, Section 5 – Quorum.** There was discussion about how this read and it was agreed to change it to read “. . . the presence as more than fifty (50%) percent of duly appointed members . . .”.
- **Article IV – Officers, Section 2 – Election, Term of Office and Succession.** There was discussion about removing the clause “The Chair and Vice Chair will not serve more than 2 consecutive, 2-year terms.”
- **Article IV – Officers, Section 6 – Secretary.** Kim Nass stated that “. . . s. 66.042, Wisconsin Statutes,” should read “. . . s. 66.0607, Wisconsin Statutes . . .”
- **Article V – Contracts, Checks, Loans and Deposits, Section 2 – Checks, Drafts, Etc.** Kim Nass suggested that the heading of Section 2 be changed to read “**Checks, Drafts, Other Orders**”.

Motion by Mulder/Caine to approve all of the changes outlined above, and direct Kim Nass to make the changes to the current Bylaws of the EWCRC and provide an updated copy of the Bylaws to all members of the EWCRC. Motion carried by unanimous vote.

Chairman, Tom Winker stated that Milwaukee County currently has no one from its County Board appointed to serve on the EWCRC and that Columbia County only has one County Board member appointed to serve on the EWCRC. Tom Winker suggested that Kim Nass draft a letter to Milwaukee County and to Columbia County requesting that Milwaukee appoint two county board members to serve on the EWCRC and Columbia appoint one county board member to serve on the EWCRC. Kim Nass will draft the letters for her signature and Tom Winker’s signature. It was the consensus of the members of the EWCRC that Kim Nass draft and send out letters to Milwaukee County and Columbia County, as described by the Chairman.

**Reminder of 2019 WisDOT Annual Freight Railroad Conference, scheduled for November 12, 2019:** The 2019 WisDOT Annual Freight Railroad Conference will be held on Tuesday, November 12, 2019, at the Sheraton Hotel, in Madison, Wisconsin. Rich Kedzior stated that he will send an email with registration details and hotel reservation information, along with a draft agenda later this summer.

**Report of WisDOT, Railroads and Harbors:** Rich Kedzior reported the following:

There is \$1.5 million available for intermodal facility planning studies and application review. WisDOT is going to announce to the community that there is money available for intermodal planning studies. WisDOT will use FRPP guidelines and the application deadline is February 1, 2020.

The Weed Commissioner of the City of Beaver Dam sent WisDOT a notice to cut grass and weeds on railroad right of way properties located within the City limits. WisDOT did not receive the notice until after the compliance date. The City of Beaver Dam hired a company to cut the grass and weeds and sent WisDOT an invoice for approximately \$1,000. Ken Lucht stated that this should no longer be an issue, as WisDOT is not responsible for grass and weed removal, and by state statute, it is illegal to assess special fees to WisDOT.

WisDOT is in the process of revising the Freight Rail Preservation Program guidelines. WisDOT will present the revised guidelines to the EWCRC after the revisions have been completed.

Ed Singer provided an update on rebuilding and extending the existing rail siding that exists within the railroad right of way in Adell, Wisconsin. WSOR is working with WisDOT and the private property owner to resolve issues with the driveway that would be located within the railroad right of way. WisDOT will enter into Offer to Use Agreements with Agri-Service and Adell Cooperative.

**Report of WSOR:** Ken Lucht reported the following:

In June of 2019, WSOR replaced approximately 13,000 ties and installed 2,000 ton of ballast on the Cambria Subdivision. WSOR will start resurfacing in the next couple of weeks.

WSOR is almost done weed spraying the entire system. A truck travels on the railroad tracks and sprays the weeds and brush on the sides of the track. This is important because the weeds and brush retain moisture, and the retained moisture deteriorates railroad ties.

WSOR is currently checking its rail lines for defects by means of a rail defect detector test car. The rail defect detector test car transmits an ultrasonic sound wave through the rail and it thereby detects cavities and other internal defects in the rail.

In the next week or two, WSOR will be replacing an at-grade crossing located on Columbus Street, in Randolph, Wisconsin.

The continuous welded rail has arrived for installation on the Oshkosh Subdivision. Diversified Track will install the continuous welded rail between Ripon and Fisk. WSOR will complete the surfacing. This is a Phase 2 rehabilitation project.

WSOR received an award from the City of Oshkosh in relation to the public and private partnership to construct a new transload terminal that opened in Oshkosh, Wisconsin.

WSOR is working on its carload report. Ken stated that he will present this report to the EWCRC at its next meeting.

Ken will provide a date, time, and location of the next freight rail inspection tour to be held in the fall of 2019.

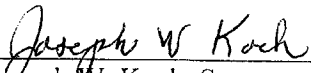
Chairman, Tom Winker suggested that the EWCRC invite the WisDOT Secretary to the next meeting of the EWCRC.

**Date, time, and place of next meeting (September 11, 2019):** The next regular EWCRC meeting will be held on September 11, 2019, at 10:00 a.m. Dodge County will host the meeting.

Motion by Glavan/Mulder to adjourn. Motion carried by unanimous vote.

Meeting adjourned at 11:22 a.m.

Respectfully submitted,

  
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Joseph W. Koch, Secretary

**Disclaimer:** These are draft minutes. These draft minutes may be approved, amended, or corrected at the next meeting of the East Wisconsin Counties Railroad Consortium.