Minutes of the
East Wisconsin Counties Railroad Consortium
Meeting of July 8, 2015

East Wisconsin Counties Railroad Consortium Meeting was called to order by Chairman Rick Gundrum on July 8, 2015, at 10:00 a.m., at the Dodge County Administration Building, located at 127 E. Oak Street, Juneau, Wisconsin.

Certification Of Public Notice: 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: Kenneth Hutler and James E. Foley, Columbia County; Russell Kottke and Harold Johnson, Dodge County; Joseph Koch and Karen Madigan, Fond du Lac County; Vicki Bernhagen, Green Lake County; Donald Dohrwardt, Ozaukee County; Richard Bemis and Mark Winkel, Sheboygan County; and Rick Gundrum, Washington County.

Excused: Rich Slate, Green Lake County; Steve F. Taylor and Khalif Rainey, Milwaukee County; Thomas E. Winker, Ozaukee County; Daniel Goetz, Washington County; and Ron Hardy and Joel Rasmussen, Winnebago County.

Others Present: Ken Lucht, WSOR; Don Pohlman, Mayor for the City of Plymouth; John F. Corey, Dodge County Corporation Counsel; and Kelly L. Lepple, Recording Secretary.

Public Comment: Don Pohlman stated that everything is going well in Plymouth and thanked the Consortium and its respective member counties for their continued support of freight rail, because freight rail is important to everyone.

Approval of Minutes of March 11, 2015: Motion by Hutler/Koch to approve the minutes of the March 11, 2015 meeting, as presented. Motion carried by unanimous vote.

Financial Report: Russell Kottke reported the following: The balance in the checkbook as of February 28, 2015, was $126,000. Deposits were $111,242.51. Expenditures were $6,041.30. Transfers were $230,201.21. As of June 30, 2015, the balance in the checkbook was $1,000. Total EWCRC money on deposit in the Local Government Investment Pool as of June 30, 2015, is $781,638.53. Motion by Bemis/Madigan to approve the Financial Report. Motion carried by unanimous vote.

Consider, discuss, and take action on the level of funding by member counties for 2016: There was consideration of and discussion about the level of funding by member counties for 2016. Motion by Hutler/Dohrwardt that the Board of Directors of the EWCRC recommend to each member county that each member county budget $25,000 for its 2016 member county contribution to the EWCRC. Motion carried by unanimous vote.

Consider, discuss, and take action on Report of WisDOT, Bureau of Railroads and Harbors: No Report.

Consider, discuss, and take action to approve WSOR mainline relocation project in Cambria, Wisconsin: Ken Lucht reported that WSOR has created a design plan for the mainline relocation project in Cambria, Wisconsin, that is agreeable with Didion, Seneca, WisDOT, and WSOR. There were some minor

changes to the original design plan that the EWCRC took action on at its March 11, 2015 meeting. WSOR has awarded this project to a contractor and the contractor should begin work on the mainline relocation project on September 1, 2015, and the work on the mainline relocation project should be completed by September 30, 2015. WSOR and the contractor are in the process of reviewing material acquisitions and ordering the necessary materials for the project. Before the work begins, the contractor, Didion, and Seneca will make arrangements to meet with representatives of the Village of Cambria to inform them of the mainline relocation project.

Consider, discuss, and take action on report of WSOR: Ken Lucht made the following report:

WSOR is currently utilizing a geometry car to check the tracks on the entire WSOR system, the geometry car travels on the rails and detects elevation discrepancies and gauge discrepancies in the rail, and is used by WSOR to determine whether or not the rail meets the applicable standards set forth in the various FRA classes.

This fall WSOR will check 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.

WSOR has been very busy rebuilding at-grade public road crossings as part of WSOR's maintenance plan.

WSOR will start construction this year on the Markesan continuous welded rail project between Fairwater and Markesan. The EWCRC has taken action in the past to apply its 2013 and 2014 member county contributions to the Markesan continuous welded rail project.

WSOR held a groundbreaking ceremony on March 24, 2015, to kick off the construction phase of the Plymouth to Kohler rebuild project. Wisconsin Transportation Secretary Mark Gotlieb attended and spoke at the groundbreaking ceremony and made some very supportive remarks. WSOR is still on schedule for late fall to startup operations on the rail line to Sheboygan Falls.

The proposal right now for the Freight Railroad Preservation Program (FRPP) for the 2015-2017 Biennial State Budget is $35.2 million for the next two year. This amount is down from the original $43 million that was proposed. The Senate has already passed this proposed budget and it will move on to the Assembly today, and, if the Assembly passes the proposed budget, it will go to the Governor's desk at the end of the week for his approval.

John Corey requested that Ken Lucht provide an update on some of the items that were discussed at the March 11, 2015 EWCRC meeting. With regard to WSOR's legislative agenda to request the legislature to change the current law that prohibits the operator of a railroad from performing any part of a public railroad project that will cost more than $25,000, to allow the operator of a railroad to perform any and all parts of a public railroad project that will cost more than $25,000, Ken Lucht reported that this matter was not included in the budget.

With regard to railroad crossing improvement funding, the Governor proposed that the levels of funding remain the same as they are in the current budget, approximately $3.5 million of federal funding, and approximately $2 million of state funding. WSOR has 4,000 at-grade public crossings throughout the State of Wisconsin and every year the Office of Commissioner of Railroads investigates certain crossings, reviews train speeds, reviews vehicular speeds, reviews the types of commodities that are being transported, reviews other relevant safety issues, and, in the event that a recommendation is made that instead of a stop sign at the crossing, lights and gates should be installed at the crossing, then this railroad crossing improvement fund

will help pay for the purchase and installation of lights and gates. Ken Lucht reported that the Governor's proposal that the levels of funding remain the same as they are in the current budget, was accepted by the Legislature.

With regard to WSOR's opposition to the Governor's proposal to reduce the staffing of the Office of the Commissioner of Railroads, Legislature neither reduced staff levels, nor increased staff levels, in the Office of the Commissioner of Railroads. Ken Lucht further reported that the Office of the Commissioner of Railroads currently has two vacant positions, these positions have not been filled because of restraints exerted by the Legislature, the Office of the Commissioner of Railroads is funded by railroads, there are no taxpayer dollars that are used to fund the wages, salaries, or travel expenses for this agency, WSOR wants these vacant positions filled so that the Office of the Commissioner of Railroads can continue to reduce the backlog of public projects that need to be completed in order to maintain safety at all of WSOR's crossings, and that the Office of the Commissioner of Railroads will continue to attempt to fill the two vacant positions, outside of the budget process.

With regard to relocating the loading station used by WSOR and Oshkosh Truck to load motor vehicles onto railcars from its current location in a residential district, to an industrial park in the City of Oshkosh, Ken Lucht reported that the City of Oshkosh is still in the process of pursuing the option of applying for a T-Grant to help pay the costs to relocate the loading station to the industrial park, the City of Oshkosh has been waiting for the state budget to be finalized in order to determine whether or not the T-Grant match will be increased from 50% to 80%, the City of Oshkosh was hopeful that the State will provide 80% of the funding and the local match would be 20% for the City of Oshkosh. Ken Lucht further reported that the Legislature did not increase the T-Grant match from 50% to 80%, the T-Grant match will remain at 50%, and WSOR does not know how this failure by the Legislature to increase the T-Grant match from 50% to 80% will affect the funding strategy of the City of Oshkosh with respect to the City's efforts to relocate the loading station to the industrial park.

Date, time, and place of next meeting (September 9, 2015): The next regular EWCRC meeting will be held on September 9, 2015, at 10:00 a.m. Fond du Lac County will host the meeting.

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

Meeting adjourned at 11:09 a.m.

Respectfully submitted,

Joseph W Koch

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.