

**Minutes of the
East Wisconsin Counties Railroad Consortium
Meeting of September 13, 2023**

East Wisconsin Counties Railroad Consortium Meeting was called to order by Vice Chair Jeff Schleif on September 13, 2023, at approximately 10:00 a.m., at the Dodge County Administration Building Auditorium, 127 E. Oak Street, Juneau, 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.

Present: Char Holtan, Columbia County; Dave Frohling and Jeffrey Caine, Dodge County; Karen Madigan, Fond du Lac County; Dennis Mulder and Charlie Wielgosh, Green Lake County; Marty Wolf (via Teams), Ozaukee County; Jeff Schleif and Robert Hartwig, Washington County; and Donald Nussbaum and Howard Miller, Winnebago County.

Excused: John Zorn, Fond du Lac County; Milwaukee County; Thomas E. Winker, Ozaukee County; and, Roger TeStroete and Al Bosman, Sheboygan County.

Others Present: Ken Lucht, WSOR; Lisa Stern and Ben Mohlke, WisDOT; Heather Graves and Don Vruwink, Office of the Commissioner of Railroads; Don Pohlman, Mayor of the City of Plymouth; Dick Bemis; Becky Glewen, Land Resources and Parks Department; Kimberly A. Nass, Dodge County Corporation Counsel; and Kelly Lepple, Dodge County Corporation Counsel Office.

The Consortium rose to say the Pledge of Allegiance.

Public Comment: Don Vruwink introduced himself as the new Commissioner of Railroads since March of 2023. Don Pohlman, Mayor of the City of Plymouth, introduced himself and thanked everyone on the EWCR for their interest in the railroad and freight rail.

Approval of Draft Minutes of March 8, 2023: Motion by Mulder/Hartwig to approve the draft minutes of March 8, 2023. Motion carried.

Financial Report: Jeff Caine reported for the period ending January 31, 2023. The balance in the checkbook as of February 1, 2023, was \$1,000.20. Deposits – \$245,403.99, Expenditures – \$6,397.40 and Transfers – \$239,005.22. Total EWCR money on deposit in the Local Government Investment Pool as of July 31, 2023, is \$1,021,872.25. Motion by Caine/Madigan to approve the Financial Report. There was discussion about why Winnebago County only contributed \$25,000. Kim Nass explained that Winnebago County is on a two-year budget cycle and did not have \$30,000 budgeted for 2023. Don Nussbaum stated that this was brought up at a County Board meeting and it was the consensus of the Board that the money would be taken from somewhere else. Don Nussbaum will follow up with its Finance Department to submit the \$5,000 to make its 2023 contribution whole. Motion carried.

Consider, discuss and take action on level of funding by member counties for 2024: There was consideration of and discussion about the level of funding for member counties for 2024. Motion by Madigan/Holtan that the Board of Directors of the EWCR recommend that each member county budget \$30,000 for its 2024-member county contribution to the EWCR. Kim Nass informed the Consortium that Milwaukee County has not made their 2023-member county contribution. Kim Nass stated that she will contact Milwaukee County and ask them to submit their 2023-member county contribution. Motion carried.

Report of WisDOT Railroads and Harbors: Lisa Stern introduced Ben Mohlke, WisDOT's new Freight Rail Manager. Mr. Mohlke introduced himself and stated that he is excited to work for WisDOT. Mr. Mohlke will be attending EWCRRC meetings on behalf of WisDOT. WisDOT also hired Scott Edmundson as the new Real Estate Specialist. Lisa Stern provided an update on the Janesville Bridge project. A Memorandum of Understanding between WisDOT, WSOR and the UP has been drafted and being reviewed by the legal department. There is a general consensus between the two railroads and WisDOT on moving forward with the Janesville Bridge project. Lisa Stern provided an update on the Delong project and will ask Mike Halstead to give a presentation on the Delong harbor project at the next EWCRRC meeting.

Consider, discuss, and take action on the EWCRRC Local Government Investment Pool Account: There was consideration and discussion about the EWCRRC Local Government Investment Pool Account. Motion by Caine/Schleif to retain EWCRRC funds in the EWCRRC Local Government Investment Pool Account. Motion carried.

Consider, discuss, and take action on WSOR Rent: Jeff Schleif reported that according to the Agreement between WSOR and the EWCRRC, the rate per mile shall be adjusted every five years, and the rate per mile has not been adjusted since 2014. When an adjustment to the rate per mile is to be made, it shall be made in the month of January and the rate per mile shall be calculated by increasing or decreasing the rate per mile which was in effect during the previous calendar year in proportion to the change in the Consumer Price Index over the five-year period ending on December 31 of the previous calendar year. Motion by Hartwig/Holtan to direct Kim Nass to make the adjustment to the WSOR rent in January of 2024, in accordance with the terms of the Agreement between WSOR and the EWCRRC. Motion carried.

Consider, discuss, and take action on potential closure of Sunny Knoll Road rail grade crossing located in the Town of Metomen, Fond du Lac, County, Wisconsin: Heather Graves, from the Office of the Commissioner of Railroads, stated that a verification inspection at Sunny Knoll Road has been completed and it appears that all of the work requested has been completed. Ms. Graves further reported that the Railroad Commissioner approved lights and gates to be installed at the Brandon Road railroad crossing.

Presentation on Rails to Trails: Lisa Stern gave a PowerPoint presentation on Rails to Trails program in Wisconsin. The Rails to Trails program preserve the corridors for future rail use. The trail must be maintained in a way to preserve the rail corridor. WisDOT petitions on behalf of the DNR or County or municipality to the Surface Transportation Board with a Statement of Willingness to Accept Financial Responsibility of the corridor. A corridor is not an abandoned railroad.

Report of WSOR: Ken Lucht provided a handout showing how the maintenance and capital expenditure dollars will be spent in 2023. The handout depicted the number of ties and continuous welded rail that will be installed, the at grade crossing projects that will be upgraded, and the bridge rehabilitation projects. WSOR will spend approximately \$12 million in 2023.

Ken Lucht reported that WSOR has completed weed spraying for 2023. WSOR is still working on brush spraying over the entire network to preserve the life of the ties. The Crawford to Bridgeport continuous welded rail project is complete.

Merrimac Bridge: WSOR received a federal grant of approximately \$7 million to rehabilitate the Merrimac Bridge. This is approximately a \$20 million project, and the rest of the project will be funded by the State of Wisconsin, WSOR, and several counties that are served by the Merrimac Bridge. Michels is the contractor for the project and are in Phase 3 of rehabilitation project, which is to change out 14 spans on the bridge, and 10 of the 14 spans have been changed out. In 2024 Michels will change out the rest of

the spans. Once that is complete, WSOR will be able to upgrade the rating on the bridge to 286,000-pound railcars. There will be some touch up work and quality control work going into 2025 but should be running 286,000-pound railcars by next summer. This project will be completely done by 2025.

Amtrak: On August 29, 2023, WSOR had a meeting with Amtrak regarding passenger rail. Amtrak is targeting a couple of corridors that the WSOR operates. One corridor is by Madison and one by Fox Valley. If the Federal Railroad Administration (FRA) admits a couple of corridors on the WSOR into their corridor ID program, then the WisDOT can start expending funds on engineering and design on those corridors. Ken will keep the Consortium updated on what the FRA decides. The FRA is expected to make that announcement in November of 2023.

United Cooperative: United Cooperative in Oshkosh has built its track expansion and are now shipping 110-car units of grain to the port in Chicago. United Cooperative in Horicon is looking into expanding its track as well. United Cooperative is building a brand-new facility in Waupun on the west side of STH 151 and will be shipping grain and soybeans. This facility will be a grain elevator at first and then going to be expanded to a soybean processing facility. The track contractor will start building track in the next couple of weeks. The track should be complete before winter. United Cooperative in Waupun is looking at the third quarter of 2024 to start shipping by rail.

Oshkosh Terminal: WSOR off loads and on loads military vehicles at Oshkosh Defense. WSOR is looking at transloading some nuclear waste, and transloading some aggregate, as well as fertilizer.

City of Ripon: WSOR is working with the City of Ripon to repair a series of crossings. The crossing rehabilitation projects are about 90 percent complete.

City of West Bend: WSOR recently acquired a new rail line in the City of West Bend. It is an extension of the WSOR network from Milwaukee to West Bend. WSOR is learning the business portfolio on that line and what capabilities they have in the City of West Bend. WSOR is having active conversations with the City of West Bend regarding its zoning code and WSOR's limitations.

Beeline: WSOR reported that the fence has been completely relocated, WSOR is now the owner of the scale, and has access to the road. WSOR is working with a plastic customer to start doing some transloading there using that scale and using that road. WSOR thanked the Consortium for its help in making this happen.

WSOR Locomotive Shops: WSOR recently built a new 15,000 square foot locomotive shop in Janesville. The new locomotive shop replaces the 115-year-old Janesville roundhouse locomotive shop that was originally built for steam engines. Today's locomotives do not fit in the roundhouse and the old shop is falling apart and the bathroom facilities are not compliant with local laws and ordinances. The new locomotive shop is going to manage and maintain all of WSOR's locomotive fleet of 43 locomotives. WSOR invested \$5.5 million to build the new locomotive shop.

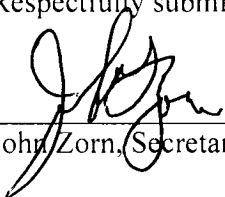
Ken Lucht stated that he will be attending the Ozaukee County Executive Committee Meeting on October 2, 2023, to talk about its partnership with WSOR, to report on 2023 activities, and to report on the outlook for 2024.

Janesville Bridges: The FRA granted \$6.7 million to rehabilitate the Janesville bridges. WSOR recently found out that they do not need to buy or lease the bridges to invest public dollars in them. WSOR has trackage rights over the bridges and that is sufficient for having a public interest in the Janesville bridges. WSOR has been working with UP to come to general terms on how they are going to operate over them and how they are going to repair the bridges. WisDOT is drafting a Memorandum of Understanding and will provide it to the WSOR and UP soon for review.

Date, time, and place of next meeting (November 8, 2023): The next regular EWCRC meeting will be held on November 8, 2023, at 10:00 a.m. Dodge County will host the meeting, to be held at the Dodge County Administration Building, located in Juneau, Wisconsin.

Motion by Caine/Schleif to adjourn. Motion carried. Meeting adjourned at 11:11 a.m.

Respectfully submitted,



John Zorn, 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.