

**Minutes of the
East Wisconsin Counties Railroad Consortium
Meeting of November 13, 2013**

East Wisconsin Counties Railroad Consortium Meeting was called to order by Chairman Rick Gundrum on November 13, 2013, at 10:00 a.m., in the Training Room, located in the West Wing, Lower Level of the Green Lake County Government Center, located at 571 County Road A, Green Lake, 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, Dodge County; Joseph Koch, Fond du Lac County; Eugene Henke and Donald L. Peters, Green Lake County; Thomas E. Winker and Donald Dohrwardt, Ozaukee County; Richard Bemis and Mark Winkel, Sheboygan County; Rick Gundrum and Daniel Goetz, Washington County; and Ron Hardy Winnebago County.

Excused: Harold J. Johnson, Dodge County; Karen Madigan, Fond du Lac County; Steve F. Taylor, Milwaukee County; and Joel Rasmussen, Winnebago County.

Others Present: Ken Lucht, WSOR; Don Pohlman, Mayor for the City of Plymouth; David Silver, Didion Milling; Shelly Bernhagen and Lisa Strahota, Badger Mining Corporation; Jerry Letcher, Fond du Lac County Spectator; Jack Meyers, Green Lake County Chairman; John F. Corey, Dodge County Corporation Counsel; and Kelly L. Lepple, Recording Secretary.

Approval of Minutes of July 10, 2013: Motion by Bemis/Peters to approve the minutes of the July 10, 2013 meeting, as presented. Motion carried by unanimous vote.

Financial Report: Russell Kottke reported the following: The balance in the checkbook as of June 30, 2013 was \$1,000.00. Deposits were \$4,690.00. There were no expenditures. Transfers were \$4,690.00. As of October 30, 2013 the balance in the checkbook was \$1,000.00. Total EWCRC money on deposit in the Investment Account as of October 31, 2013 is \$554,803.79. Motion by Hutler/Foley to approve the Financial Report. Motion carried by unanimous vote.

Consider, discuss, and take action regarding investment of unexpended member county contributions: There was consideration of and discussion about the investment of unexpended member county contributions. John Corey made the following oral report: At the July 10, 2013 meeting of the EWCRC, this matter was tabled to a time certain to the September 11, 2013 meeting of the EWCRC to allow time for John Corey to conduct research about *TD Ameritrade* and to form a conclusion as to whether or not *TD Ameritrade* is one of the types of investments that are allowed pursuant to the provisions of Section 66.0603, of the *Wisconsin Statutes*. John Corey reported that *TD Ameritrade* is not one of the types of investments that are allowed pursuant to the provisions of Section 66.0603, of the *Wisconsin Statutes*. It was the consensus of the Board of Directors of the EWCRC to continue to invest EWCRC monies in the money market fund entitled *Invesco Government & Agency Portfolio, Short-Term Investments Trust*.

Consider, discuss, and take action on a letter from James Block of Johnson Block & Company, Inc., addressed to John Corey, regarding Proposal to Conduct Annual Audit of Financial Statements for Fiscal Year 2013: There was consideration of and discussion about a letter from James Block of Johnson Block & Company, Inc., addressed to John Corey, regarding a Proposal to Conduct Annual Audit of Financial Statements for Fiscal Year 2013. John Corey reported that he received a letter from James Block of Johnson Block & Company, Inc., regarding a proposal to conduct an annual audit of financial statements for fiscal year 2013. Johnson Block & Company, Inc., will charge the EWCRC \$1,800 to conduct the annual audit of financial statements for fiscal year 2013, and \$300 for Jim Block to personally present the annual audit of financial statements for fiscal year 2013 to the EWCRC, for a total amount of \$2,100. John Corey further reported that the presentation fee of \$300 will be eliminated if the members of the Board of Directors of the EWCRC will elect not to request Mr. Block to personally present the annual audit of financial statements for fiscal year 2013. There was discussion about whether or not an annual audit needs to be conducted every year. John Corey stated that he would look at the Agreements by and between the EWCRC and WSOR and WisDOT to see if it is necessary to conduct an annual audit. Motion by Winker/Bemis to contract with Johnson Block & Company, Inc., at a rate of \$1,800, to conduct an annual audit of financial statements for fiscal year 2013, but to reserve the right to request Mr. Block to personally present the annual audit, if requested by the EWCRC after review by the EWCRC of the annual audit, and to pay the \$300 presentation fee to Johnson Block and Company, Inc., in the event that Mr. Block will personally present the annual audit to the EWCRC. A roll call vote was taken. There were 10 ayes and 3 noes. Motion carried.

Consider, discuss, and take action on the level of funding by member counties for 2014 and authorize and direct John Corey to send invoices in the amount of \$25,000, in January, 2014, to each member county of the EWCRC for its member county contribution for 2014: There was consideration of and discussion about the level of funding by member counties for 2014 and authorization of and direction to John Corey to send invoices in the amount of \$25,000, in January, 2014, to each member county of the EWCRC for its member county contribution for 2014. Ron Hardy, a Winnebago County member of the EWCRC Board of Directors, stated that he is informed that the Winnebago County Executive is giving serious consideration to not making Winnebago County's 2014 member county contribution to the EWCRC until such time as WSOR is willing to work with Winnebago County to move a 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. Motion by Winkel/Goetz to authorize and direct John Corey to send invoices in the amount of \$25,000, in January of 2014, to each member county of the EWCRC for its member county contribution for 2014. Motion carried by unanimous vote.

Consider, discuss, and take action regarding revised language to insurance section of the EWCRC/ WSOR/WisDOT Grant and Operating Agreements: There was consideration of and discussion regarding revised language to insurance section of the EWCRC/ WSOR/WisDOT Grant and Operating Agreements. John Corey stated that Frank Huntington from WisDOT contacted him about revising the language to the insurance section of the EWCRC/WSOR/WisDOT Grant and Operating Agreement. John Corey requested that this matter be placed on the agenda for the January 8, 2014 EWCRC meeting to allow Frank Huntington of WisDOT to explain the proposed revisions to the insurance section of the Grant and Operating Agreements. Motion by Dohwardt/Koch to place this matter on the agenda for the next meeting of the EWCRC. Motion carried by unanimous vote.

Report by Chairman Gundrum about the Third Governor's Freight Industry Summit: Chairman Rick Gundrum gave an oral report on the Third Governor's Freight Industry Summit that he attended on November 5, 2013. Chairman Gundrum reported that the following topics were discussed at the Summit: Summary of Successes; Challenges and Opportunities in Wisconsin's Freight Industry; WisDOT's accomplishments since the last Summit; Wisconsin's Manufacturing and Logistics Options; Challenges and Opportunities of Wisconsin Motor Coach Carriers; Success, Opportunities, and Challenges for Wisconsin's Ports; Container in Balance Opportunities and Challenges; and, Chippewa Falls Intermodal Success Story.

Resolution commending Ben Meighan for his contributions to the East Wisconsin Counties Railroad Consortium, its member counties, the State of Wisconsin, and WSOR: Rick Gundrum introduced Ben Meighan to the EWCRC. Rick Gundrum read the Resolution commending Ben Meighan for his contributions to the East Wisconsin Counties Railroad Consortium, its member counties, the State of Wisconsin, and WSOR. All members of the Board of Directors of the EWCRC signed the Resolution and presented it to Ben Meighan. Rick Gundrum thanked Ben Meighan for his contributions to the East Wisconsin Counties Railroad Consortium, its member counties, the State of Wisconsin, and WSOR, and wished him well in his retirement and future endeavors.

Consider, discuss, and take action on WSOR's 5 Year Capital Plan: Ken Lucht made an oral presentation of WSOR's 5 Year Capital Plan. Ken Lucht provided to all members of the EWCRC a written summary of the 2013 WSOR 5 Year Capital Plan which shows the total MOW capital costs for each rehabilitation project on each subdivision, total project costs, and project expenditure flows for 2013, 2014, 2015, 2016, and 2017. Motion by Goetz/Winkel to adopt WSOR's 5 Year Capital Plan. Motion carried by unanimous vote.

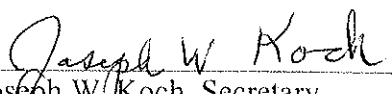
Consider, discuss, and take action on report of WSOR: Ken Lucht reported that WSOR rebuilt an at-grade crossing at County Road KK, approximately 1 mile south of Ripon in Fond du Lac County, at the beginning of October of 2013 WSOR mobilized a bridge repair contractor to a bridge site located 1 mile east of Germantown, on October 22, 2013, WSOR solicited bids for reconstruction of a bridge located at milepost 98.95 near Granville, and WSOR is continuing to do tamping work on the Plymouth Subdivision.

Date, time, and place of next meeting (January 8, 2014): The next regular EWCRC meeting will be held on January 8, 2014, at 10:00 a.m. Sheboygan County will host the meeting.

Motion by Winker/Goetz to adjourn. Motion carried by unanimous vote.

Meeting adjourned at 11:42 a.m.

Respectfully submitted,



Joseph W. Koch, Secretary

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

RESOLUTION

COMMENDING BEN MEIGHAN FOR HIS CONTRIBUTIONS TO THE EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM

WHEREAS, the Chicago, Milwaukee, St. Paul and Pacific Railroad service to the Counties of Columbia, Dodge, Fond du Lac, Green Lake, Washington and Winnebago, was scheduled for complete abandonment on June 30, 1980; and,

WHEREAS, the Counties of Dodge, Fond du Lac, Green Lake, Washington, and Winnebago, had the foresight to enter into a *Contract Creating Consortium Pursuant To Wisconsin Law To Provide Certain Transportation Services With Power To Acquire A Transportation System* for the continuation of rail service in the various communities; and,

WHEREAS, in the recent past the counties of Columbia, Sheboygan, Ozaukee, and Milwaukee have joined the East Wisconsin Counties Railroad Consortium (EWCRC); and,

WHEREAS, Ben Meighan has worked for Wisconsin & Southern Railroad since 1980 and served as Track Foreman for the first 8 years and as Superintendent of Maintenance of Way for the past 25 years, and has proven to be a real champion in preserving, restoring, and enhancing our freight rail system in Wisconsin; and,

WHEREAS, the EWCRC, its member counties, and the State of Wisconsin have received innumerable benefits from the dedicated service of Ben Meighan over the past 33 years of his service; and,

WHEREAS, it is the opinion of the undersigned members of the Board of Directors of the EWCRC that this Body should testify to and recognize the contributions of Ben Meighan to the goals of the EWCRC and to the preservation, restoration, and enhancement of railroad service in southern Wisconsin;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the undersigned members of the Board of Directors of the EWCRC, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend, Ben Meighan; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be set forth upon the minutes of this meeting, and that a copy of this Resolution be forwarded to Ben Meighan as a testimony to the great esteem and honor we hold for our friend, Ben Meighan.

Adopted this 13th day of November, 2013.

Board of Directors of the East Wisconsin Counties Railroad Consortium:

