

**Minutes of the
East Wisconsin Counties Railroad Consortium
Meeting of March 9, 2022**

East Wisconsin Counties Railroad Consortium Meeting was called to order by Chairman Thomas Winker on March 9, 2022, at approximately 10:00 a.m., at the Dodge County Administration Building, Meeting Rooms H & I, located at 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: James E. Foley, Columbia County; Russell Kottke and Jeffrey Caine, Dodge County; Karen Madigan, Fond du Lac County; Dennis Mulder (by Zoom), Green Lake County; Thomas E. Winker and Marty Wolf, Ozaukee County; Roger TeStroete Sheboygan County; Brian Gallitz, Washington County; and, Donald Nussbaum, Winnebago County.

Excused: John Zorn, Fond du Lac County, David Abendroth, Green Lake County; Milwaukee County; Al Bosman, Sheboygan County; and, Jeff Schleif, Washington County.

Others Present: Lisa Stern and Todd Wojciuk, Wisconsin Department of Transportation; Allen Schwab, Horicon Bank; Tim Anfinson; Ken Lucht, WSOR (Zoom); Kimberly A. Nass, Dodge County Corporation Counsel; and Kelly Lepple, Dodge County Corporation Counsel Office.

Public Comment: None.

Approval of Draft Minutes of January 12, 2022: Motion by Caine/Madigan to approve the draft minutes of January 12, 2022. Motion carried by unanimous vote.

Financial Report: Russell Kottke reported for the period ending December 31, 2021. The balance in the checkbook as of December 31, 2021, was \$1,000.89. Deposits – \$5,201.21, Expenditures – None, and Transfers – \$5,201.21. Total EWCRC money on deposit in the Local Government Investment Pool as of January 31, 2022, is \$500,069.96. Motion by Foley/TeStroete to approve the Financial Report. Motion carried by unanimous vote.

Report on Local Government Investment Pool interest rate: Kim Nass reported that the Local Government Investment Pool interest rate as of March 2022 is 0.07%.

Consider, discuss, approve, and authorize payment of invoice of Dodge County for services provided by the Dodge County Finance Department in 2021: There was consideration of and discussion about the statement for services that was presented for payment from Dodge County, in the amount of \$800. for services provided by the Dodge County Finance Director and staff, in recordkeeping, accounting assistance, and in preparing the EWCRC Annual Financial Report. Motion by Mulder/Foley to approve payment of this invoice and to authorize and direct the Office of Dodge County Corporation Counsel to send payment to Dodge County, in the amount of \$800, for services provided by the Dodge County Finance Director and staff, in recordkeeping, accounting assistance, and in preparing the EWCRC Annual Financial Report. Motion carried.

Consider, discuss, approve, and authorize payment of invoice of Dodge County for services provided by the Dodge County Corporation Counsel Office in 2021: There was consideration of and discussion about the statement for services that was presented for payment from Dodge County, in the amount of \$4,272.54, for services provided by the Dodge County Corporation Counsel and staff in 2021. Motion by Wolf/Nussbaum to approve payment of this invoice and to authorize and direct the Office of Dodge County Corporation Counsel to send payment to Dodge County, in the amount of \$4,272.54, for services provided by the Dodge County Corporation Counsel and staff in 2021. Motion carried.

Consider, discuss, and take action to amend the Bylaws of the EWCRC to recognize virtual attendance and to revise Section 3 – Appointment: There was consideration of and discussion about revisions and additions 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 I – Offices, Section 3 – Appointment.** There was discussion about how this read and it was agreed to change it to read:

“The appointments shall be made by the County Boards for Columbia, Dodge, Green Lake, Ozaukee, and Sheboygan Counties, and by the County Executives for Milwaukee, Washington, Winnebago and Fond du Lac Counties. . .”.

- **Article III – Meetings, Section 6 –Remote Attendance.** Kim Nass suggested that this new Section should be added to the Bylaws to address remote attendance as follows:

“A member may attend a regular meeting or a properly called and noticed special meeting remotely provided that the member notifies the Recording Secretary at least 24 hours in advance of said meeting and the Place of Meeting (host site) has technology available to facilitate remote attendance. Members attending remotely will be allowed to participate, debate and vote on all matters properly before the Consortium. Members are permitted not more than three (3) remote meetings per calendar year. Presiding officer shall be physically present at place of meeting.”

Motion by Wolf/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.

Consider, discuss, and take action on WisDOT’s sale of State Railroad Property at 421 Barstow Street, Horicon, Wisconsin. There was consideration of and discussion about WisDOT’s sale of state railroad property located at 421 Barstow Street, Horicon, Wisconsin. Ken Lucht provided an overview of prior meetings that occurred between all parties involved. Allen Schwab of the Horicon Bank and Ken Lucht stated that they are not opposed to a deed restriction on the 300 sq. ft. It was the consensus of the EWCRC to have WisDOT draft deed restriction language for the EWCRC to review and to set a special meeting of the EWCRC prior to April 19, 2022 to review and discuss the deed restriction language.

Consider, discuss and take action on Glendale Yard – Beeline scale, fence and right-of-way: Ken Lucht stated that on or about February 16, 2022, WSOR submitted a number of proposals to Beeline. Beeline has not responded to the proposals. WSOR would like to come to an agreement with Beeline to have access to the scale for its railroad customers. It was the consensus of the EWCRC to have WisDOT contact Beeline to

discuss the proposals of WSOR and to set a special meeting of the EWCRC prior to April 19, 2022, to resolve this matter.

Report of WisDOT Railroads and Harbors: Lisa Stern reported the following: WisDOT has awarded the 2022 Freight Rail Preservation Program (FRPP) grants. The Janesville Bridge Project is one of the projects awarded. There were no grant applications submitted for the EWCRC territory. WisDOT is in the process of hiring a replacement for Kim Tollers, who was the Program and Policy Analyst for WisDOT.

Report of WSOR: Ken Lucht reported the following: WSOR will be installing maintenance ties this year on the Mayville Spur and also on the Glendale line as well as the Glendale yard. The Glendale yard is privately owned by WSOR. WSOR has had some minor derailments in the Glendale yard since WSOR brought it from Canadian Pacific.

WSOR will start construction of the build-out at United Cooperative in Oshkosh in May of 2022.

At the end of January 2022, WSOR became the new operator of the West Bend Subdivision as well as the Saukville Subdivision. The West Bend Subdivision and the Saukville Subdivision were part of the acquisition between Canadian National as well as WATCO. Another subdivision that came into the WSOR family is from Fond du Lac to Eden. That subdivision does not have much traffic and to maintain its engine on that subdivision WSOR has to run it through Canadian National to WSOR to maintain it.

The FOXY line it is going well. WSOR has enough locomotive power to service the customers. WSOR is lacking about 10 people to work on this line and is in the process of hiring new employees to work for the railroad. WSOR is new for the existing customers and have had a lot of positive comments on its service plan and WSOR has had to adjust its service plan when necessary to meet customer's expectations.

Chairman Winker suggested that WSOR schedule a rail inspection tour for this fall. Ken Lucht will plan to schedule a tour.

Date, time, and place of next meeting (May 11, 2022): The next regular EWCRC meeting will be held on May 11, 2022, at 10:00 a.m. Dodge County will host the meeting.

Motion by Foley/Madigan to adjourn. Motion carried by unanimous vote. Meeting adjourned at 11:16 a.m.

Respectfully submitted,



Jeff Caine, 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.