

THURSDAY, JULY 15, 2010

APPROVED MINUTES OF THE
DODGE COUNTY REGIONAL RAIL AUTHORITY
MEETING HELD

STATE OF MINNESOTA)
COUNTY OF DODGE)

COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN

2010-01 Meeting

The Dodge County Regional Rail Authority met in regular session July 15, 2010, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 7:00 p.m. CDT. Chair David Hanson opened the meeting at 9:30 a.m. CDT.

Meeting Convened

The pledge of allegiance was recited.

Pledge of Allegiance

The Chair acknowledged those present and established that there was a quorum:

Those Present

Members present:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	Don Gray	District #4
	David Hanson	District #5
Members absent:	David Erickson	District #3
Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Executive Assistant

The Chair welcomed members of the audience.

Opening Remarks
from Chair

Mr. Hanson noted that the meeting was not a public hearing but intended to be an open discussion between Dodge County, Olmsted County, Mn/DOT and railroad representatives.

The Chair stated that it is important for everyone affected by the proposed southern bypass route to know what is happening to their land.

Mr. Hanson noted that there were representatives from Mn/DOT and Olmsted County present at the meeting.

County Administrator Jim Elmquist took nominations for the position of Chair of the Dodge County Regional Railroad Authority. Commissioner Gray nominated Commissioner Tjosaas. The County Administrator called three times for further nominations. Hearing none, the County Administrator closed nominations. Motion by Hanson seconded by Gray to cast a unanimous ballot for Lyle Tjosaas as Chair of the Dodge County Regional Rail Authority for 2010. *Motion adopted unanimously.*

Commissioner
Tjosaas Elected
Chair for 2010

The Clerk took nominations for the position of Vice Chair of the Dodge County Regional Railroad Authority. Commissioner Hanson nominated Commissioner Gray. The County Administrator called three times for further nominations. Hearing none, the County Administrator closed nominations. Motion by Hanson seconded by Tjosaas to cast a unanimous ballot for David Erickson as Vice Chair of the Dodge County Regional Railroad Authority for 2010. *Motion adopted unanimously.*

Commissioner
Erickson Elected
Vice Chair for 2010

The Clerk took nominations for the position of Secretary/Treasurer of the Dodge County Regional Railroad Authority. Commissioner Alberts nominated Commissioner Gray. The County Administrator called three times for further nominations. Hearing none, the County Administrator closed nominations. Motion by Alberts seconded by Tjosaas to cast a unanimous ballot for Don Gray as Secretary/Treasurer of the Dodge County Regional Railroad Authority for 2010. *Motion adopted unanimously.*

Commissioner Gray
Elected Secretary/
Treasurer for 2010

Motion by Hanson seconded by Alberts to appoint Jim Elmquist as the Clerk of the Dodge County Regional Railroad Authority. *Motion adopted unanimously.*

Clerk Appointed

The meeting was turned over to the new Chair, Lyle Tjosaas.

Meeting Turned
Over to New Chair

Motion by Alberts seconded by Gray to approve and adopt the agenda as presented. *Motion adopted unanimously.*

Agenda Approved

Minnesota Department of Transportation (Mn/DOT) representatives Tim Spencer and Bill Gardner, Olmsted County Commissioner/Olmsted County Regional Rail Authority member Judy Ohly and Olmsted County Administrator Richard Devlin were available to discuss the proposed Southern Rail Corridor project.

Southern Rail
Corridor Project
Discussion

Mr. Gardner informed the Board that Mn/DOT intends to include Dodge County, the railroad, and Citizens Against Rochester's Bypass (CARB) as partners in the Southern Rail Corridor project.

Mr. Gardner noted that Mn/DOT is the grantee for the federal money and will be required to maintain oversight throughout the life of the project. Mn/DOT will also be actively involved in the technical aspects of the project.

The following Southern Rail Corridor Alternatives Analysis and Scoping Study information was shared:

The Federal Railroad Administration has indicated the availability of \$487,000 in federal funding for the proposed Southern Rail Corridor project. These funds will be used to conduct an Alternatives Analysis and Scoping Study. This analysis is the first step in preparation for a potential environmental impact statement (EIS). The study project will be managed by the Olmsted County Regional Rail Authority (OCRRA), in partnership with the Minnesota Department of Transportation (Mn/DOT). The study will involve all interested and affected stakeholders.

Purpose of the Study

The purpose of the study is to narrow the potential corridor alternatives down to a manageable number of alternatives that could be advanced for further study and selection of a preferred alternative in an EIS project. For example, the narrowed set of options resulting from the Alternatives Analysis might include: (1) No build; (2) through town improvements; (3) several bypass alternatives.

Study Elements

- Purpose and Need Statement for the proposed Southern Rail Corridor
- Identify universe of alternatives
- Identify issues with each alternative
- Screening process
- Select narrowed set of alternatives
- Scoping Decision Document

Southern Rail
Corridor Project
Discussion -
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Project Roles and Responsibilities

As grantee and fiscal agent, Mn/DOT will provide overall project oversight and fulfill grant administration and reporting requirements in accordance with state and federal guidelines and regulations. Mn/DOT will prepare and facilitate completion of a Delegation Agreement with OCRRA as Sub-Grantee to provide technical project management.

OCRRA has retained an engineering consultant to manage and coordinate the project, to assemble all background information and previous studies, and to prepare a Work Plan. The OCRRA, in cooperation with Mn/DOT will retain an engineering consultant firm to conduct the Southern Rail Corridor Alternatives Analysis and prepare the Scoping documents.

Public Participation

Mn/DOT and Olmsted County are committed to an open and transparent public participation process that proactively seeks early and continuing public input and involvement so as to be responsive and accountable to all stakeholders. This process will be conducted in an appropriate, accessible, transparent, accountable, and meaningful manner that is inclusive of the state's diverse population. Mn/DOT and Olmsted County will listen to the public and respond in a timely fashion with accurate, timely information upon which they can rely.

Mr. Gardner assured the Board that Mn/DOT is interested in working with everyone.

Judy Ohly thanked the Board for inviting them to the meeting and commented that Olmsted County is also open to working with the other groups on the Southern Rail Corridor project.

Richard Devlin informed those present that the Regional Rail Authority is new to Olmsted County and noted that their Regional Rail Authority was created last year.

Mr. Devlin provided the Board with the following information:

In February 2010, Mn/DOT completed the Minnesota Comprehensive Statewide Freight and Passenger Rail Plan (State Rail Plan) as directed by the 2008 Minnesota Legislature. The State Rail Plan was developed to guide the future of the rail system and rail services in the State. The State Rail Plan has several implications for the Olmsted County Regional Authority, including:

- The State Rail Plan identifies intercity high-speed passenger rail service from the Twin Cities (Minneapolis/St. Paul) to Rochester as one of the three Phase I Priority corridors to be developed as part of a high-speed passenger rail system for the State.
- The State Rail Plan recognizes there are future capacity and safety issues on the CP/DM&E rail line through the city of Rochester and as a result, Mn/DOT recommends further study of the alternatives to effectively address these concerns. The State Rail Plan indicates that "the issue of freight rail relocation will become increasingly important as the passenger rail network develops and as communities grow."
- Completion of the State Rail Plan is a requirement to be eligible for Federal funding to support proposed rail programs and projects.

Southern Rail
Corridor Project
Discussion -
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Funding Availability

As a Phase I Priority high-speed passenger rail corridor participant, Olmsted County is eligible to participate in the high-speed rail funding program approved by the 2009 Minnesota Legislature. This high-speed rail program was funded with \$26 million for development of high-speed rail programs in the three Phase I Priority corridors.

Additionally, Olmsted County is eligible to participate in the FY10 Federal Freight Rail Relocation Program that has appropriated \$487,000 for further study of alternatives to the Southern Rail Corridor proposal. With Mn/DOT as grantee, Olmsted County will develop a Delegation Agreement with Mn/DOT to fund the alternatives analysis.

Commissioner Hanson wanted to know if they were talking bonding or funding.

Mr. Devlin clarified that bonding money is what is available.

The Olmsted County Administrator discussed the purpose of the Consultant Scope of Work. The purpose of the Consultant Scope of Work is to assist the Olmsted County Regional Rail Authority in its compliance with requirements for high-speed passenger rail funding, and compliance with requirements for study of freight rail alternatives.

The following Consultant Task information was shared:

Consultant Tasks	Total Cost
<p>Task 1: Assemble Background Information and Data Consultant will assemble and organize prior studies, reports, drawings, documents, and data related to passenger and freight rail initiatives relevant to the Olmsted Regional Rail Authority. Reports and studies will be inventoried, analyzed, and summarized as reference documents and files.</p>	
<p>Deliverable: Inventory and analytical summary of prior documents relating to passenger and freight rail initiatives relevant to the Olmsted Region Rail Authority.</p>	\$35,000

Southern Rail
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<p>Task 2: Prepare Public Participation/Public Information Outreach Plan Consultant will prepare a Public Participation/Public Information Plan designed to provide accurate and timely information to the public as the Olmsted Regional Rail Authority creates its rail development plans in a transparent, open process. The plan will be designed to seek ongoing public participation through education and outreach.</p>	
Deliverables: Public Education/Public Information Outreach Plan	\$12,000
<p>Task 3: Prepare High-Speed Passenger Rail Work Plan Consultant will prepare a High-Speed Passenger Rail Work Plan, in cooperation with local, state, and federal agencies, to advance passenger rail service for the region and to enable Olmsted County to participate in Federal and State passenger rail funding programs. The State Rail Plan proposes to establish a high-speed passenger rail route, as an independent rail corridor, connecting the city of Rochester to the Twin Cities, and to study a Rochester alternative for a high-speed passenger rail corridor connecting Chicago and the Twin Cities.</p>	
Deliverables: High-Speed Passenger Rail Work Plan	\$13,750
<p>Task 4: Develop Freight Rail Work Plan Consultant will prepare a Freight Rail Work Plan consistent with the State Rail Plan recommendation for further study development and evaluation of the Southern Rail Corridor. This plan would include an analysis of the issues related to potential increased freight rail traffic through Olmsted County and a proposal for evaluation of alternatives to address these issues including an evaluation of the existing thru-city route, viable alternatives to the existing route, and a No-Action alternative.</p>	
Deliverables: Freight Rail Work Plan	\$13,750
<p>Task 5: Coordinate Development of Work Plan and Delegation Agreement Consultant will work with Mn/DOT and FRA to prepare a Work Plan consistent with Mn/DOT and FRA guidelines and requirements to secure the \$487,000 FY10 federal appropriation from the Federal Freight Rail Relocation Program for the study of the Southern Rail Corridor. The Consultant will also facilitate development of a Delegation Agreement with Mn/DOT for the utilization of these funds.</p>	
Deliverables: Work Plan Delegation Agreement and Coordination with Mn/DOT and FRA.	\$17,000
Expense:	\$3,000
Total Contract	\$94,500

Discussion took place on Task 1.

Mr. Devlin stated that it's important to get everything together so they know what has been done so far. Mr. Devlin noted that the Olmsted County Board has put money into hiring a consultant for Task 1 and the money for this task is all county money.

Commissioner Hanson wanted to know from what source the \$35,000 comes from.

The Olmsted County Administrator informed Mr. Hanson that the funds for this expense come from taxpayers.

Southern Rail
Corridor Project
Discussion -
Continued

Commissioner Hanson asked for clarification on Task 2.

Mr. Devlin reported that with Task 2 there will be a lot of public involvement. The county wants to make it an open process and keep everyone informed. The cost of this task is \$12,000.

Mr. Hanson stated that the discussions regarding rail development need to be two-way discussions.

Richard Devlin stated that Olmsted's plan includes getting more involvement from people interested in the project.

Mr. Devlin briefly discussed high speed rails, his belief that Minnesota is behind when it comes to rail systems and passenger rails.

Commissioner Hanson asked for clarification on what they consider Greenfield.

Bill Gardner from Mn/DOT commented that Greenfield refers to anything other than an active alignment.

Alignments were discussed along with Greenfields which are still being studied.

Mr. Gardner indicated that they must determine what they are eligible for, what is feasible and will be supportive of what they feel is the best alignment.

Discussion took place on Task 3 which would prepare a high-speed passenger rail work plan at a cost of \$13,750.

Mr. Devlin informed the Board that they are in the beginning stages of putting something together for this work plan.

Commissioner Hanson noted that these trains would travel at the speed of 110 miles per hour.

Mr. Gardner reported that a Rochester and cities Greenfield route is being considering where trains that would travel at faster speeds.

Richard Devlin stated that Olmsted is interested in being connected to the metro area and moving forward on some type of high-speed passenger rail connection as soon as possible.

Task 2 was discussed – Prepare Public Participation/Public Information Outreach Plan.

Mr. Devlin reiterated that Rochester wants to be connected to the high-speed rail system.

Commissioner Tjosaas clarified that the 70-110 mile per hour rail system and the 150-200 mile per hour rail system are two separate systems.

Richard Devlin confirmed that the two are different systems and reported that the county wants to be prepared for high speed rail.

Southern Rail
Corridor Project
Discussion -
Continued

Commissioner Alberts stated that the United States made a decision years ago to go with an interstate system rather than a rail system and that's why they are behind, they had no intention of going with the rail system. It was Mr. Alberts' opinion that principle money should be spent on the interstate system.

Commissioner Alberts noted that there are existing tracks and corridors that can be used and that their money would be well spent if they looked at land that is already acquired. Mr. Alberts felt that the group is spending lots of money on lots of things he doesn't feel will be done.

Mr. Devlin commented that he thinks high-speed rail is imminent and that the state will be making the decisions on the route. The Olmsted County Administrator stated that Olmsted would like to be a stop on a truly high-speed route.

Commissioner Hanson expressed an interest in looking at the cost benefits of the plan and reviewing passenger studies.

Bill Gardner reported that the details of the Scope of Work have not been discussed yet. No agreements have been approved, and no screening methods have been determined yet.

Tim Spencer from Mn/DOT informed the Board that there are active studies on the way.

Commissioner Hanson stated that his concerns with the project come from Greenfield areas from State Highway 52 to State Highway 56.

Mr. Hanson commented that he is interested in fast and safe rails.

Richard Devlin discussed Task 4 – Develop Freight Rail Work Plan. Mr. Devin reported that the city/county is extremely concerned with safety and reminded those present that the main purpose behind the proposed bypass was the threat of coal trainings being routed through Rochester. The group felt they needed to look at alternatives for freight rails going through the county which would be accomplished under Task 5 – Coordinate Development of Work Plan and Delegation Agreement.

Commissioner Hanson pointed out the cost of each task and noted that the total contract price for the Rail Consultant Scope of Work is \$94,500. Olmsted County Board approved transferring \$100,000 into the Olmsted County Regional Railroad Authority fund for the study and has hired Chuck Michaels as a consultant.

Mr. Gardner clarified that Mr. Michaels is Olmsted's Project Manager and that another person will serve as the technical study person.

Mr. Devlin informed the Board that Chuck Michaels has worked with Olmsted County before and has rail experience.

Commissioner Hanson stated that he is in favor of convenient and safe rails.

It was Mr. Hanson's opinion that Canadian Pacific should be working closely together with this group.

Southern Rail
Corridor Project
Discussion -
Continued

Richard Devlin reported that they are required to look at alternatives and mitigation.

Commissioner Alberts wanted to know if the route in the study was the original route proposed.

Mr. Devlin stated that a couple of different routes have been proposed. The Gannet/Fleming route is the latest proposed route. A significant part of the study will be to look at the alternatives.

Commissioner Alberts commented that the Dodge County Board of Commissioners are very determined to be involved in any discussion regarding any route proposed in Dodge County.

Commissioner Hanson suggested that a transparent discussion take place with everyone involved.

Both Olmsted County and Mn/DOT representatives were receptive to having an open meeting to further discuss the rail plan.

Commissioner Hanson stated that Dodge County has some of the finest land in the world and feels that the county and property owners affected by the proposed bypass should have a say in what happens to their land.

Mr. Hanson informed the Mn/DOT and Olmsted County representatives that he feels Dodge County's authority hasn't always been recognized when it comes being informed of what's happening with the Southern Rail Corridor project.

Commissioner Hanson stated that the county is not happy being the conduit for the trains and noted that the trains wouldn't stop in Dodge Center, Hayfield or West Concord. Mr. Hanson pointed out that the proposed route would cut some prime Dodge County farmland into small triangles.

Mr. Gardner suggested that a member of Mn/DOT that is more familiar with high speed rails come back and speak with the Board at a later date.

Judy Ohly requested that Olmsted County be a part of those meetings too.

Commissioner Hanson commented on the difference the welded/improved tracks have had on rail traffic and the speeds at which the trains are able to travel.

The relationship with Canadian Pacific was discussed. The Board welcomed continued relations with Canadian Pacific.

Mr. Hanson acknowledged the need to get cars off the road and noted that there is also a need for freight to be moved.

Commissioner Tjosaas thanked the Mn/DOT and Olmsted County representatives for the presentation and stated that Dodge County is interested in high speed rail, how it's developed and where it's developed.

Tim Giesler of the Southeast Minnesota Rail Alignment commented that he is interested in the dialog going on between Mn/DOT, Olmsted County and Dodge County. Mr. Giesler stated that this is the start of a new process and a new beginning.

Southern Rail
Corridor Project
Discussion -
Continued

Tim Giesler acknowledged the groups desire to develop a rail plan to meet the needs of Olmsted County and suggested that the group consider taking the statewide plan and implementing it locally.

Mr. Giesler noted the importance of implementing a rail plan that is competitive, safe and one that meets everyone's needs.

Mr. Giesler commented that the group needs to work with the neighbors and everyone impacted and agree to find the best solution to issues. It was Mr. Giesler's opinion that everyone needs to be involved.

Mr. Giesler thanked the Board for the dialog.

Dodge County farmer and landowner Mark Moenning thanked the Board for their time and diligence on the rail issue. Mr. Moenning informed the Board that it has been a challenge to find factual information on this issue over the last fourteen months.

Mr. Moenning commented that the resolution the Dodge County Board of Commissioners passed August 13, 2009 provides a clear and concise vision for resolving this age old conflict and has not been challenged or refuted by any of the parties involved or the public officials to whom it was sent. The current resolution protects the taxpayer, recognizes the need for cooperation with the private carriers and addresses safety issued by concentrating resources on the existing corridor. It was Mr. Moenning's opinion that the resolution provides a clear direction and anything viewed as deviating from it should be rejected.

Kathy King representing the Citizens Against Rochester's Bypass stated that she welcomes the Board's openness regarding the Regional Rail Authority.

Ms. King reported that the definitions are very muddy when it comes to the speeds of the trains. It was Ms. King's opinion that the Board needs to be very clear on the definitions of trains and the true definition of Greenfield.

Kathy King indicated that it is also critical to make sure that the Board is interpreting what the other group is saying.

Ms. King briefly discussed mitigation and a freight study.

Kathy King informed the Board that the official position of the Citizens Against Rochester's Bypass Dodge and Olmsted Counties is:

“No bypass and negotiate on the current line.”

Ms. King reported that they would include mitigation on the current line as a meaningful part of that negotiation.

The Board thanked Ms. King for the information.

Chair Tjosaas stated that the Board wanted to get everyone's input on the proposed rail plan and thanked everyone for the information and attending the meeting.

Southern Rail
Corridor Project
Discussion -
Continued

Motion by Hanson seconded by Gray to adjourn the meeting at 10:42 a.m. CDT.
Motion adopted unanimously.

Meeting Adjourned

ATTEST:

LYLE TJOSAAS
CHAIR, REGIONAL RAIL AUTHORITY

BECKY LUBAHN
DEPUTY CLERK

DATED: