



proud past, promising future

CLARK COUNTY
WASHINGTON

RAILROAD ADVISORY BOARD

MEETING MINUTES

MONDAY, APRIL 12, 2010

4:00 PM -5:30 PM

1300 FRANKLIN STREET – PUBLIC SERVICE CENTER

6TH FLOOR – HEARING ROOM #680

Members Present:	John Allen, Dick Carroll, Dick Clairmont, Bill Ganley, Rodger Lance, Lloyd Lycan, Jack Melton, John Shaffer, Thomas Smith, Florence Wager, Dan Weaver
Excused Members:	Fred Abraham, Todd Coleman, Scott Dalesandro, Melinda McLucas
Absent Members:	Bart Phillips
Ex-Officio:	Eric Temple, Will Pickering
Public:	Doug Auburg-BYCX, Larry Landgraver-BYCX
Staff:	Mark McCauley, Troy Pierce, April Flinn

Agenda Item	Facilitator
Meeting called to order @ 4:03 PM	Lloyd Lycan
Roll Call/Introductions	Lloyd Lycan
Larry Landgraver from BYCX introduced himself to the group.	
Approval of Previous Meeting Minutes	Lloyd Lycan
<ul style="list-style-type: none"> • Correction to the March minutes – County Activities, the grant should read \$1.3668M. • Correction to the March minutes – Rails with Trails appraisal has NOT been received. • Moved and seconded minutes approved as corrected. 	
Communications/Announcements	Lloyd Lycan
<ul style="list-style-type: none"> • Battle Ground City Council Meeting – Rodger Lance mentioned that Fred Abraham did a great job at presenting at the Battle Ground City Council meeting in March. 	
PVJR Activities	Eric Temple
<ul style="list-style-type: none"> • \$1M from Legislature – \$1 M is coming from the legislature for rail improvements. The hope is that it will be able to get rolled into the current \$1.3668M from WSDOT. • Existing Customers – The sand shipper’s business is still down on the rail line. Omega is doing well. The gas industry is non-existent. Andersen Plastics is keeping steady and is planning on adding a new facility in Brush Prairie. • New Business – There is still a battle going on between UP and BNSF on the sand business that wants to relocate on the rail line from Southern California. It would be cheaper for the business to relocate to Longview because they would only have to use UP. Eric Temple is looking into the open agreement option. There is a possibility of getting a new shipper that would bring in 4-5 cars per day. It is still too early in the process to get any more specific. A new track would have to be built for these rail cars. • Legislative Session – Eric is going to try to get Washington State law changed in regards to the land issues of the Lagler property. He has been working with the State’s attorney. The meeting with the Senate and House that was scheduled for April 13, 2010 has been postponed till May 13, 2010. Eric Temple still wants to try to acquire the BNSF track that is located near Renton, WA. • Car Counts – Car Counts were up slightly for the first quarter of 2010. 	
BYCX Activities	Will Pickering
<ul style="list-style-type: none"> • Yacolt Fire Department – The Yacolt Fire Department used the train for training of a mock 	

Agenda Item	Facilitator
<p>disaster.</p> <ul style="list-style-type: none"> • Excursions – They will be starting up their trips again this year for Mother’s Day the beginning of May. • DNR – DNR has been clearing the crossing and downed trees from the latest wind storms. They are also starting work on bridge 23, while they are waiting for timbers for bridge 12. He is anticipating bridge 23 will be open in early May. • Ties – Ties have been spread out along the track for installation towards Heisson. 	
<p>Status of County Activities</p>	<p>Fred Abraham</p>
<ul style="list-style-type: none"> • County of Activities was read by the Chairman Lloyd Lycan in Fred Abraham’s absence. • WSDOT Rail Grant 2009-11 \$1.3668M - The contract has been signed by the Board of Commissioners to accept the money from WSDOT as of consent on 3-30-10. The next step in the process is, once we have the final documents executed by all signers, we will go out to bid on the small works roster for the drainage part of the contract. We anticipate that to be done in April, with a May start date. After that drainage contract is underway, we intend on having a bid on the street for all the materials for the rail rehabilitation portion and a second one for the labor portion. Those will be spaced about 2 weeks apart in the May time frame, for a June start. We anticipate being completed in the fall. • On Track Safety and Policy - On April 19, the first class in a series of three will be conducted to train county employees on roadway worker protection. Each class will be limited to 25. More classes will be scheduled, if needed. We had a small class on March 8, to train our signal folks, as a means of a dry run and to work out any bugs before the larger classes are conducted. We will have a shake down meeting on April 14 with staff for any final adjustments needed via the power point presentation and general training for the larger classes. It will also provide the opportunity for the Regional FRA Administrator, Jim Adams, to review the program and offer comment. On March 30, I presented the program to senior Public Works Managers and it went well. Only a couple of minor questions were raised and answered satisfactorily. All the unions within Clark County affected by this program have been made aware of the program and no negative feedback has arisen. Once the classroom training is complete, we will set up the annual on-line training refresher courses for roadway worker, lone worker and flagman. As railroad administrator, I am responsible for keeping all records of testing, annual renewals, daily briefings and challenges that may result. I will need to go and observe randomly and at my sole discretion roadway worker activities to see that we are complying, and document. A questionnaire and a form for tracking those visitations have yet to be developed. Records of those visitations and spot checking must also be retained as a matter of record. • Andersen Plastics - Andersen Plastics has submitted a 90 day offer to purchase property located in Brush Prairie that was formally a CENEX feed store. The offer is contingent on public acceptance through a series of public outreach meetings, as well as having the assurance that a zone change and comp plan update are eminent to be adopted. The process for a zone change and plan comp update is done annually from Jan. 1 to Dec. 31. That was conveyed to Jack Dunn, who missed the December 31 deadline but the commissioners are willing to include his annual review in light of the sale and because the review process has not yet began on any annual reviews for zone changes. The best case scenario is to have that zone change through the Planning Commission and on to the Board for adoption approval in the fall of this year, with the results being effective on January 1, 2011. Jack Dunn’s operation for Andersen could not function until that time. During this time, while we work through the zone and comp plan process, we will do a thorough public process. By the time of this report we already will have had a pre-application meeting with Jack and his engineer on April 6 with key staff. The fee for this has been waived by the Board. This gave Jack the ability to ask questions of key staff and get the answers for him to assess what he needs to do for the 90 day process by Community Development to take place once the zoning and comp plan are implemented. We hope to begin the 90 day process beginning in December of this year or January of 2010. All three elements of review will be done concurrently through Marty Snell in Community Development. That would be 	

Agenda Item	Facilitator
<p>plans ready, engineering in place and permits in place within 78 days and allowing for a 12 day comment period to equal 90 days. If everything flows as expected, he could be in the building at this point next year running his operations. I met with Jack privately, the week of March 22, to give him the complete picture. He is willing and wanting to move forward, even with the long term outcome as prescribed. They will use a temporary location, if needed, to facilitate the added bottle business they are to acquire until this process is done or put the new business opportunity temporarily on hold. If at the end of 90 days by nature of the sale agreement dated March 24 that it appears as though we have public support and the zone change will be accepted then Andersen will modify the purchase agreement to the current owner to satisfy their requirements to that current owner. They then will be able to continue moving forward toward the final purchase, while our County process continues.</p> <ul style="list-style-type: none"> • State Legislative Results - As of the time of this written report we still have every indication that Larch Mountain Correction facility will be saved as a half bed facility through DOC, DNR crews will remain, and our program is safe. We also understand that the transportation budget has \$1M set aside for additional rail infrastructure improvements. If that stays in the budget we will most likely modify the current contract agreement with WSDOT. • Federal Legislative Trip – In February Commissioner Stuart took a trip to Washington D.C. and met with the federal delegation for Senator’s Cantwell, Murray and Congressman Baird over several issues regarding Clark County. He also handed out a one page summary of railroad related information that contained a brief history of the rail line, State funding of the infrastructure to date and future needs to attract new business. He indicated to me upon his return, that all 3 federal legislators were aware and very supportive of our efforts and to keep them up to date through staff on our progress as it continues to unfold. There is no money to be attained at present most likely. They did encourage the county to continue to present ourselves to them and that timing is everything and the overall needs of the region to yield rewards in the future. • Bridge 6, 12, & 23 - The improvements to bridge # 6 are done as of the first week of March and the crews are now on to bridge #12. We have ordered all needed materials and have started doing some replacement of timbers with what we have in stock while awaiting additional timbers to arrive. We also have used the crews to do sight distance clearing at all bridges, roads and right of way locations as needed while in between working on the bridges to fill out a day. This has occurred when we were stopped from doing bridge work due to train traffic or being unable to do a task in shorter time durations. The crews also have been doing debris and garbage cleanup along the right of way on days when bridge work has ceased or unable to perform duties on the bridges, which is a free service to Clark County. The last bridge that will have work done on is bridge #23. We anticipate to be on that bridge by the end of April or first of May. Materials for bridge #23 will be determined by mid-April so we can order and have delivered at a time when the crew can use them right of way, so they are not left unattended in north County for any length of time, to reduce theft opportunities. • 199th Street/Eaton Blvd Overlay and Crossing - A MOU between Clark County and the City of Battle Ground is being distributed amongst staff and legal departments of both entities to allow us to move it forward for City Council approval and approval by the Board of Clark County Commissioners and the County Administrator. Once in place, it will allow for the two jurisdictions to jointly share in the cost of a major upgrade to the rail crossing at 199th Street during the City of Battle Ground’s summer overlay project. The crossing will be renewed with new ties, heavy rail, ballast and concrete panels as per BNSF specifications. • 78th Street Auction - This auction has been put on hold due to the restrictions placed on the sale for rail served customers as being desired over any other potential user. Due to this, the property assessment was 50% below the original estimate of \$1M dollars, and State statutes do not allow for a sale of Public Works property to be sold under those conditions. This means that we will have to review the auction process and determine what is best for the ability to sell the property and stay within State statutes. That will be a decision by the Board of commissioners. One current shipper desirous of locating there is Omega Industries, however due to it being Public Works property and road fund driven, neither a 	

Agenda Item	Facilitator
direct sale or a long term lease are able to be done without it being done through an auction process.	
Subcommittee Reports	
<ul style="list-style-type: none"> • Community Outreach – Neighborhood Association meetings have already started regarding Andersen Plastics in Brush Prairie. A couple of people have objected for various reasons. There will be a NACC meeting at 78th Street Public Works building tonight at 7:00 pm. John Wiesman and Dr. Melnick of Public Health will be discussing the book “The Ghost Map” by Steven Johnson. • Web Page – The web page looks fine and is up-to-date. Rodger Lance discussed business cards with general information for contacts for the railroad such as RRAB, BYCX, and the railroad coordinator. They would like to have them available to the public. The group should consider what she be place on the cards. Mark McCauley added that they could be printed on nice card stock through the Print Shop. • Safety – The group met with managers. A concern was raised about individual liability for willful violations. It was used two times last year. They have a meeting planned for April 14th to make sure the program covers all materials. Authorization from OTS only applies to this railroad. • Rails with Trails – Nothing else to add. 	
Unfinished Business	Lloyd Lycan
<ul style="list-style-type: none"> • Rails with Trails – An appraisal has still not been received on the property. Once it is received they hope to make an offer. Once this is complete some of the design work for the trail on that side can be completed. They plan to submit for environmental permits in May. There will be some public notices going out for CEPA. They will also be looking at a variance for a habitat permit. There will be some public notices for the habitat. They are looking to move away from the track at the base of Tueks Mountain. The location exists within the right of way in a gully which is a drainage ditch for the railroad. Troy Pierce met with the representative of the owners of the property and some other portions of the property are of interest to the City of Battle Ground and conservation plans. The owner will work with the trails project. Lisa Goorjian sent out a draft of the resolution. She is currently working with Fred Abraham on it. They have compiled data to define a draft of the alignment of the trial with the track. It will be in a table format. They have also noted the elevation of the trail above or below the track line. Troy hopes to have this in a memo to the subgroup next month. There are some wetlands they may need to reclassify. They should be able to stay with the original alignment. It is anticipated that bids should start in the February/March 2011 timeframe with starting work in May 2011. • Adopt a Rail Program – From the research done, there are no other railroads doing this type of program. A group would need to be found that is interested in adopting a portion of the railroad. Track access for different groups is being explored. They would need OTS if they are in the foul zone. It may not be worth it at this point. • Autobiography’s – John Allen will need to get them typed in. Lloyd Lycan will try to e-mail them to John to avoid having to retype all of them. 	
New Business	Lloyd Lycan
<ul style="list-style-type: none"> • RRAB Economic Development & Legisative Liason – John Shaffer has talked to Fred Abraham. He wants to find ways to get the car counts up to make more money, along with getting more people interested in the railroad. The railroad needs to move forward economically. John will talk with Fred and pursue this when Fred is back in town. 	
Good of the Order	ALL
<ul style="list-style-type: none"> • Bill Ganley Update – Bill Ganley was present at the meeting and gave an update on his situation. 	
Round Table	ALL
<ul style="list-style-type: none"> • Nothing 	
ADJOURNMENT @ 5:28 PM	