

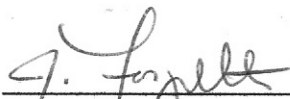
Meeker's Report #5

concerning limited operation of the spur track and concerning operation of the main line track prior to completion and commencement of operation of the 134th Avenue East flashing lights grade crossing signal system

Prepared March 15, 2011

Covering the period from February 27, 2011 through March 12, 2011

I, James Forgette, the Operations Manager for Meeker Southern Railroad, hereby certify that the (a) the data in the enclosed one-page crossing spreadsheet and (b) the comments in the enclosed VERIFICATION OF COMPLIANCE WITH TABLE 2 are true and correct to my best knowledge and belief.


James Forgette 3-15-11
Date

**Meeker Southern Railroad
Log for 134th Ave. E Spur crossing and Mainline crossing
For February 27, 2011 through March 12, 2011**

<u>Date</u>	<u>Time</u>	<u>Track</u>	<u>Direction</u>	<u>Destination</u>	<u>Length (ft)</u>	<u>Train Components</u>
2/28/2011	9:01 AM	main	west	BNSF interchange		
	9:52 AM	main	east	mainline east of 134th		
	9:58 AM	main	west	mainline/spur switch		
	10:00 AM	spur	east	Sound Delivery	130 ft	engine + 1 car
	10:04 AM	spur	west	mainline/spur switch	50 ft	engine
	10:05 AM	main	east	mainline east of 134th		
	10:10 AM	main	west	BNSF interchange		
	10:30 AM	main	east	Sound Delivery		
3/7/2011	9:01 AM	main	west	BNSF interchange		
	9:28 AM	main	east	Optimus Transport		
	9:47 AM	main	west	mainline/spur switch		
	9:48 AM	spur	east	Sound Delivery	50 ft	engine
	9:50 AM	spur	west	mainline/spur switch	125 ft	engine + 1 car
	9:51 AM	main	east	mainline east of 134th		
	9:56 AM	main	west	BNSF interchange		
	10:25 AM	main	east	locomotive pen		
3/9/2011	9:01 AM	main	west	BNSF interchange		
	9:44 AM	main	east	mainline east of 134th		
	9:46 AM	main	west	mainline/spur switch		
	9:47 AM	spur	east	Sound Delivery	110 ft	engine + 1 car
	10:38 AM	spur	west	mainline/spur switch	110 ft	engine + 1 car
	10:39 AM	main	east	mainline east of 134th		
	10:44 AM	main	west	mainline/spur switch		
	10:45 AM	spur	east	Sound Delivery	230 ft	engine + 3 cars
	10:48 AM	spur	west	mainline/spur switch	50 ft	engine
	10:48 AM	main	east	mainline east of 134th		
	10:51 AM	main	west	BNSF interchange		
	11:15 AM	main	east	locomotive pen		

end report



WASHINGTON STATE TRAFFIC CONTROL
FLAGGER

Name **VIOLA B. MOWDY**
LD. No./S.S.N. B011-U608-013
Card No. **253363**
Date of Expiration **08/2013**
Date of Issue **08/14/2010**

valid
with
photo
ID

Viola B. Mowdy
Flagger's Signature

WASHINGTON DRIVER LICENSE

LIC # **MOWDYVB547CW** EXP **02-16-2014** ♥
MOWDY, VIOLA BELL
8809 STEILACOOM RD SE APT 16
LACEY WA 98513-1712

CDL END RES C
SEX HT WT EYES
F 5-07 140 BLU

ISSUE DATE **10-30-2009**

DOB **02-16-1946**

Viola B. Mowdy



CERTIFIED PAYROLL REPORT

For the week ending: _____ Meeker Southern Railroad Flagging Personnel

Month 3 / Day 5 / Year 11
 134th Avenue East & Pioneer Way East Rail Crossing


	Name and Address of Employee	Day and Date (e.g. 10/10/11)							Total Hrs
		Sun	Mon	Tues	Wed	Thu	Fri	Sat	
		2/27	2/28	3/1	3/2	3/3	3/4	3/5	
		Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)							
1	<u>JIM ROSE</u>								2
2	<u>SHARON WARD</u>		9:04 AM 10:50 AM						2
3									
4									
5									

Today's Date: 03/09/11 Printed name of party signing this report: Jay M Looker Title: Corp. Sec Treas

The party signing this report pays or supervises the payment of the persons employed by: Asphalt Patch Systems Inc (Name of Flagging Company)

Project Name: 134 AV E Railroad Crossing For the week starting: February 27, 2011 For the week ending: March 5, 2011

The party signing below declare under penalty of perjury that all information contained in this Certified Payroll Report is correct and complete and that all persons hold a current certified flagging card.

Print name of party signing this report: Jay M Looker Title: Corp Sec Treas Signature: 

CERTIFIED PAYROLL REPORT

For the week ending: Meeker Southern Railroad Flagging Personnel

Month Day Year 134th Avenue East & Pioneer Way East Rail Crossing
 3 - 12 - 11


	Day and Date (e.g. 10/10/11)							Total Hrs
	Sun	Mon	Tues	Wed	Thu	Fri	Sat	
Name and Address of Employee								
1	3/6	3/7	3/8	3/9	3/10	3/11	3/12	2
Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)								
	9:00 AM - 10:06 AM 10:45 AM							2
2								2
3								
4								
5								

Today's Date: 03/14/11
 Printed name of party signing this report: Jay M Looker
 Title: Corp. Sec Treas


The party signing this report pays or supervises the payment of the persons employed by: Asphalt Patch Systems Inc
 (Name of Flagging Company)

Project Name: 134 Av E Railroad Crossing
 For the week starting: March 6, 2011
 For the week ending: March 12, 2011

The party signing below declare under penalty of perjury that all information contained in this Certified Payroll Report is correct and complete and that all persons hold a current certified flagging card.

Print name of party signing this report: Jay M. Looker
 Title: Corp Sec Treas
 Signature: 

CERTIFIED PAYROLL REPORT

For the week ending:		Meeker Southern Railroad Flagging Personnel						
Month	Day	Year	134th Avenue East & Pioneer Way East Rail Crossing					
March	12	2011						
Name and Address of Employee	Day and Date (e.g. 10/10/11)							Total Hrs
	Sun	Mon	Tues	Wed	Thu	Fri	Sat	
	3/6/11	3/7/11	3/8/11	3/9/11	3/10/11	3/11/11	3/12/11	
	Hours Worked Each Day (e.g. 9:00 AM - 3:00 PM)							
1	N/A	N/A	N/A	8:30a-11:30a	N/A	N/A	N/A	3*
A	-	-	-	-	-	-	-	3*
A2	N/A	N/A	N/A	8:30a-11:30a	N/A	N/A	N/A	
X	-	-	-	-	-	-	-	
X	-	-	-	-	-	-	-	
Today's Date:	Printed name of party signing this report:		Title:					
3/12/11	Melissa Fortier		Staffing Specialist					
The party signing this report pays or supervises the payment of the persons employed by: Labor Works Industrial Staffing (Name of Flagging Company)								
Project Name:			For the week starting:			For the week ending:		
134 Av E Railroad Crossing			3/6/11			3/12/11		
The party signing below declare under penalty of perjury that all information contained in this Certified Payroll Report is correct and complete and that all persons hold a current certified flagging card.								
Print name of party signing this report:			Title:			Signature:		
Melissa Fortier			Staffing Specialist					

* Labor Works charges a 4hr minimum per employee

Portion of Meeker's Report #5 dated March 15, 2011
VERIFICATION OF COMPLIANCE WITH TABLE 2

(a table attached as Exhibit B to WUTC Order 03, which table sets forth "Special Requirements and Operational Limitations Concerning Meeker Southern Railroad's Crossings of 134th Avenue East Via the Mainline and Recently Installed Spur Track Prior to Completion and Commencement of Operation of the Planned Flashing Lights Crossing Signal System")

Requirement/ Limitation #	Description of Requirement/Limitation	Comments
1	Average number of days per week that the spur track will be used for crossings of 134th: <u>3 days</u>	<p>The period covered by Meeker's Report #5 is Sunday, February 27, 2011 through Saturday, March 12, 2011 (a 2-week period). During the week ending Saturday, March 5, 2011, the spur was used one day for crossings. During the week ending Saturday, March 12, 2011, the spur was used two days for crossings. Thus, the average number of days per week that the spur track was used during the reporting period is calculated as follows:</p> <p style="text-align: center;"><u>3 days</u> = 1.5 days per week 2 weeks</p> <p>That is less than the subject limitation.</p>
2	Maximum number of crossings per day that the spur track may be used for crossings of 134th: <u>4</u>	As Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For February 27, 2011 through March 12, 2011" shows, (a) 2 crossings of 134th along the spur track occurred on February 28, 2011, (b) 2 crossings of 134th along the spur track occurred on March 7, 2011, and (c) 4 crossings of 134th along the spur track occurred on March 9, 2011.
3	Hours during the day that spur crossings will be limited to: <u>9:00 AM to 3:00 PM</u>	As Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For February 27, 2011 through March 12, 2011" shows, all crossings of 134th along the spur track occurred during this time frame.
4	Maximum number of train cars per train to be operated through the spur crossing: <u>3 cars plus an engine</u>	As Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For February 27, 2011 through March 12, 2011" shows, the maximum number of train cars per train operated through the spur crossing was 3 car(s) plus an engine.
5	Traffic flagging of 134th Avenue East on the north and south sides of the	During the period of Sunday, February 27, 2011 through Saturday, March 12, 2011, traffic flagging of 134th Avenue East on the north and

	crossing must be performed in accordance with WAC 296-155-305 by certified flaggers provided by Meeker during all train crossings of 134th via either the spur track or the main line track.	south sides of the crossing was performed by certified flaggers from third-party companies providing flagging services to Meeker during all train crossings of 134th via either the spur track or the main line track.
6	<p>Meeker will be required to submit to Commission Staff and to Public Works a report (which may be submitted by email), due on the 1st and 15th day of each month, containing the following information verifying compliance with the conditions in this Table 2:</p> <ul style="list-style-type: none"> a. Daily number of trains crossing 134th Avenue East on the spur track, their length, and the date and time of each crossing. b. Daily number of trains crossing 134th Avenue East on the mainline track, and the date and time of each crossing. c. Certified Payroll Reports (in conformance with the form proposed by Pierce County in its December 30, 2010 response to Meeker's Motion to Amend Order 01) listing the flaggers controlling traffic at the 134th Avenue East crossing, and showing the dates and times worked by each flagger. 	<ul style="list-style-type: none"> a. Data regarding the daily number of trains crossing 134th Avenue East on the spur track, their length, and the date and time of each crossing is set forth on Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For February 27, 2011 through March 12, 2011" b. Data regarding the daily number of trains crossing 134th Avenue East on the mainline track, and the date and time of each crossing is set forth on Meeker's accompanying "Log for 134th Ave. E Spur crossing and Mainline crossing For February 27, 2011 through March 12, 2011" c. Three Certified Payroll Reports are included as a part of this Report #5. [Note: The two certified flaggers flagging the crossing on March 9, 2011 Viola Mowdy and Steve Stegman were supplied by LaborWorks. Photocopies of their flagger certification cards, which have not previously been supplied to Commission Staff and Pierce County Public Works are included in this report. Also, a certified payroll report from LaborWorks is included as part of this report in regard to their flagging work that day. <p>The other two certified flaggers flagging the crossing during the subject time period were Jim Rose and Sharon Ward, who were supplied by Asphalt Patch Systems, Inc. and who flagged the crossing on all crossing days other than March 9, 2011.</p>

		<p>Photocopies of their flagger certification cards have previously been supplied to Commission Staff and Pierce County Public Works and are thus not included in this report. Also, two certified payroll reports from Asphalt Patch Systems, Inc. are included as part of this report in regard to the flagging work performed by Mr. Rose and Ms. Ward.]</p>
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