

# TOWN OF ARCADIA

Trempealeau County



W26051 State Road 95, Arcadia Wisconsin 54612 • Phone and Fax (608) 323-3470  
• Email: [townofarcadia@trivest.com](mailto:townofarcadia@trivest.com)

Ronald Tuschner, Chairman (608) 323-3035  
Ivan Pronschinske, Supervisor No. 2 (608) 323-7675

Michael Wineski, Supervisor No. 1 (608) 323-2333  
Nancy Rohn, Town Treasurer (608) 323-7063

## Town of Arcadia Minutes of Regular Board Meeting November 13, 2012 at 7 p.m.

The board meeting was called to order by Chairman Ronald Tuschner at 7:00 p.m. Open meeting certifications were met. Roll call was taken. All Board members were present: Chairman Ronald Tuschner and Supervisors Michael Wineski and Ivan Pronschinske. Also present were the attached list of residents.

A motion was made by I. Pronschinske and seconded by M. Wineski to adopt the agenda as prepared. The motion was carried with a voice vote.

A motion was made by M. Wineski seconded by I. Pronschinske to approve the October 29, 2012 meeting minutes. The motion was carried with a voice vote.

A motion made by M. Wineski and seconded by I. Pronschinske to approve disbursements of October 29, 2012. The motion was carried with a voice vote.

### **Review of Workers Compensation and Employers Liability with Kris VanAcker of Westland Insurance Company.**

A motion was made by M. Wineski and seconded by I. Pronschinske to accept the Workers Compensation and Employers Liability Insurance for the Town of Arcadia as presented by Kris VanAcker of Westland Insurance Company. The motion was carried with a voice vote.

### **Six month review of Guza non metallic sand mine with Bob Hemker of Brandt Valley Excavating and Mark Palmer.**

R. Tuscher followed the Town of Arcadia Non-Metallic Mining Review Form with Bob Hemker and Mark Palmer. The Town/Citizen concerns were since the opening of the mine. M. Palmer advised that on the haul route, they had trouble with new drivers as they strayed from the correct route. That issue has not been taken lightly and has been corrected by Guza Sand mine.

There was a concern regarding blasting by Mrs. Majosek residence. A settlement has been reached between Mrs. Majosek and Guza non metallic sand mine. There was cracking in her foundation. The blasting was within the legal limits. Mr. Hemker took care of the problem as a good neighbor and also he did not want to have any further problems in order to keep the mine in operation.

Town Road Use agreement as of this date is current.

R. Tuschner addressed a concern regarding "No Parking" signs by the mine. R. Tuschner stated that he has seen automobiles parked watching the mining process, even though signs are posted. He is concerned about someone having an injury or automobile accident. M. Palmer stated that the less visible from public view that they can make a mine the better. I. Pronschinske asked if a temporary berm could be placed to help this situation. Further discussion occurred on this problem.

R. Tuschner opened the floor to public comments on concerns. No public comments or concerns were made.

### **Six month review of Alpine Materials non metallic sand mine with John Cross of Alpine Materials and Project Manger, Hector Casillas of TPS.**

Hector Casillas made a bullet point Progress Report review with the Board. Each of the points were discussed with H. Casillas and the Board of Supervisors. The progress report will be kept in the Town of Arcadia Alpine Materials file.

R. Tuschner then followed the Town of Arcadia Non-Metallic Mining Review with Hector Casillas and Jim Cross.

Violations/Sanctions: Revised storm water plan has been approved and is currently under construction. All berms and swales will be seeded and or e-matted. This will be revisited in the Spring to ensure vegetation growth.

Town/Citizen concerns: None. H. Casillas commented that all plant lighting has been redirected to face down and to the west. The start up of the processing equipment will only be within the scheduled hours.

The current acres open for mining is currently approximately 20 acres.

Town Road Use agreement will be submitted to the Town of Arcadia shortly.

R. Tuschner opened the floor to public comments on concerns. No public comments or concerns were made.

R. Tuschner stated that the Road Use Agreement must be received from Alpine Materials at the Town of Arcadia prior to any sand leaving the mine site. This has been a set on the conditional use for all non metallic sand mine.

A motion was made by I. Pronschinske and seconded by M. Wineski to allow Alpine Materials to temporarily remove of sand not to exceed 5,000 tons until the Road Use agreement has been received at the Town of Arcadia or up to December 1, 2012. If the Road Use agreement is not received at the Town of Arcadia by December 1, 2012 removal of sand from the Alpine Materials mine site must cease. This is being done in order to allow Alpine Materials legal council some time to review the Road Use agreement between the Town of Arcadia and ownership of Alpine Materials. The motion was carried with a voice vote with opposed vote by R. Tuschner.

R. Tuscher stated that it was brought to his attention that some mine operators of the current non metallic sand mines located in the Town of Arcadia want to sell the sand out of the sand mine and use their material for purposes for other than frac customers. One of the uses would be in agriculture in which the sand would be used in bedding and loose housing. R. Tuschner would like to have added as an agenda item to discussion with information and direction and the Board's feelings of agreement and disagreement so that those concerns can be presented to the Department of Land Management Committee.

### **Road Use Agreement on Soppa Road and Thompson Valley Road**

R. Casillas that the Road Use agreement for Thompson Valley Road will be provided to the Town of Arcadia after the Soppa Road Use Agreement.

### **A letter to Trempealeau County Department of Land Management and also directed to the Non metallic Mining Advisory Committee in regards to reclamation of 12 month inactivity of non metallic sand mines.**

R. Tuschner read aloud the letter. I. Pronschinske made a recommendation that the following sentence be added to the letter: Who is responsible for the accurate assessing of the open mining acreage annually? Further discussion occurred.

### **Tri-County Communications Cooperative, Inc. permit application for the placement of a buried telecommunications cable in the Town of Arcadia.**

Discussion occurred regarding the responsibility of maintenance when a permit application is requested. A motion was made by R. Tuschner and seconded by I. Pronschinske that any business/corporation requiring a permit to construct, maintain or repair utilities with highway right-of-way will be responsible for any damage done to their product/or property located on the Town of Arcadia road right of way during any maintenance of that road. The motion was carried with a voice vote.

### **Letter of request by Eric Lennington of TON 80 Realty Services on behalf of his client Verizon wireless for the proposed back up power generator installation in the Town of Arcadia.**

R. Tuschner read the letter that was received from Eric Lennington. A motion was made by M. Wineski and seconded by I. Pronschinske to accept the letter from Eric Lennington of TON 80 Realty for the proposed back up power generator installation. The motion was carried with a voice vote.

### **Change of Road name of River Valley Road**

M. Wineski explained that he was approached by the land owner that owns land on both sides of the road along the current stretch of River Valley Road. This was renamed to Walske Road. Walske is not the person's last name. The land owner was upset and he would like the Board to reconsider the name for the road. The land owner stated he was ok if his name was not on

the road. He gave M. Wineski a suggestion to rename the road Belgian Road because he has Belgian horses and these horses have always been on that side of the road. The land owner has lived on the farm since 1929. On behalf of the land owner, M. Wineski made a motion and seconded by I. Pronschinske to rename the road to Belgin Road from Walske Road. M. Wineski stated the land owner is Linus Sobotta. The motion was carried with a voice vote.

Agenda items were discussed

A motion was made by M. Wineski and seconded by R. Tuschner to set the next regular Town of Arcadia meeting to Wednesday, November 28, 2012 at 7 p.m. The motion carried by a voice vote.

A motion was made by I. Pronschinske and seconded by M. Wineski to adjourn the meeting. The meeting adjourned at 8:37 p.m.

Respectfully submitted by,

Elva V. Helwig  
Town of Arcadia Clerk