

# 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 February 15, 2012 at 7 p.m.

The February 15, 2012, 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, Attorney, Bruce Kostner and also present were the attached list of residents.

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

A motion was made by I. Pronschinske and seconded by M. Wineski to approve the minutes of January 26, 2012 meeting with corrections: In the open floor comment the name of Darleen Soppa will be corrected to Darlene Rossa. On the last page, paragraph one, states within a 60 notice will be corrected to within a 60 day notice. The motion was carried with a voice vote.

A motion made by M. Wineski and seconded by I. Pronschinske to approve disbursements of February 15, 2012 voucher #16726 through voucher #116778. The motion was carried with a voice vote.

At 7:05 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the February 15, 2012 agenda. The following residents presented a statement to the Board:

Mary Benusa spoke on the behalf of herself, Kathy Lockington and the residents in that attended the Public Service meeting on February 8 at the Town of Arcadia Hall. She thanked the Board for the use of the Town of Arcadia Hall. She also requested consideration from the Town of Arcadia Board to consider and pass a resolution to support the Q1 route high voltage power line at the next Board meeting. Mary provided a copy of a resolution to the Board. Mary will contact Kathy Lockington to have her provided the board with further copies of resolutions. This topic was put as an agenda item for the next Board meeting.

Beth Killian reminded the Board that they must revisit the Comprehensive plan. R. Tuscher advised that Mr. Tim Brueggen was to attend the meeting tonight. He would remind him about the Comprehensive plan.

Nancy Winey stated her concerns regarding the intersection of Paul Sonsalla Lane and Highway 95 and the movement of Soppa Road and Highway 95. She stated her concerns regarding safety risks. She asked the Board that the intersection project be completed prior to the beginning of any mine operations.

Stephen Doerr complimented the Board regards to not choosing one mine over another mine and giving them the ability to go to work. He acknowledged that the sand mine issue is getting more difficult for the Board. He strongly urged the board to work on facts not emotions.

Paul Winey stated his concerns regarding the intersection of Paul Sonsalla Lane, Soppa Road and Highway 95. He advised the Board that using the intersection as an exit/entrance point for two mines does not show regard for public safety. He urged the Board to use the laws, rules, and regulations that should be applied to ensure public safety. He requested clarification on how special meetings can be called with less than 15 days notice and no official class two notification. He questioned the actions taken on January 4, 2012 during the meeting discussing the conditional used permit for the Slaby sand mine.

R. Tuschner made a first call for requests for comments. R. Tuschner made a second call for requests for comments. R. Tuschner made a third call for requests for comments. At 7:14 p.m. R. Tuschner closed the floor to public comments.

The approval of a policy for any type of permit from the Town of Arcadia. R. Tuschner read the proposed policy which states, "The Town of Arcadia Board of Supervisors requires a 60 day review on all permit applications and/or request for permit. The 60 day review process begins the date the permit application and all necessary corresponding documents are received at the office of the Town of Arcadia. The Town of Arcadia Board of Supervisors has the right to wavier or right to extend the 60 day policy. A motion was made by M. Wineski and seconded by I. Pronschinske to adopt the policy. The motion was carried with a voice vote.

The approval of a policy that a fee be charged for the Town of Arcadia Board meetings requested by others. R. Tuschner read the proposed policy which state, "When a meeting request is received by the Town of Arcadia Board of Supervisors in addition to the two regular monthly board meetings, a fee of \$200 will be paid in advance by the individuals and/or parties requesting the meeting. A motion was made by I. Pronschinske and seconded by M. Wineski to adopt the policy. A motion was made by I. Pronschinske and seconded by M. Wineski to amend the policy to have a meeting time limit of 2 (two) hours. A motion was made by M. Wineski and seconded by I. Pronschinske to amend the previous amendment time limit from a 2 (two) hour meeting time limit to a 3 (three) hour meeting time limit. The motion to the amendment of the main motion was carried with a voice vote. The motion to adopt the policy with the amendment was carried with a voice vote.

Mark Palmer stated that the Jim Guza non-metallic sand mine is currently in operation. A hearing has been requested at Trempealeau County so their operation can be amended. Mr. Palmer stated Jim Guza on metallic sand mine is requesting to have a hydrosizer on the site. Mr. Palmer presented the new details and map to the Board of Supervisors. The Jim Guza non-metallic sand mine was put on as an agenda item for the next Board meeting.

Mark Palmer made a presentation on the Weltzien non-metallic sand mine. This non-metallic sand mine will consist of a 43 acre site. Not all 43 acres will be mined. The extraction will take place in two main phases over

a period of four years. M. Palmer explained the boundaries with use of a large map of the area to be mined. Prior to the start of the mining activities, a staging area will be established to the north of Holcomb Coulee Road opposite an existing driveway. R. Tuschner raised a concern regarding Holcomb Coulee trout stream. Mr. Palmer stated he spoke with two representatives from the DNR in Black River. There is an official list where streams are classified. Holcomb Coulee Creek is not on the official list. The list was last published in the late 1970's. Trout was not found in 2005 during a shocking process. M. Palmer expressed that they will be staying away from the stream.

Brandt Valley is the contractor on the project. The Board asked further questions to Mr. Palmer in regards to the non-metallic sand mine.

At 7:51 p.m. R. Tuschner opened the floor to public comments.

Mr. Ron Benrud stated his concerns to the Board regarding a cemetery, and trout stream. M. Palmer advised Mr. Benrud that he checked with the Mississippi River Regional Archeological Society and they checked the Wisconsin state cultural resources inventory on the site. A cemetery did not appear on the site. R. Tuschner requested clarification about a well. M. Palmer advised that there is wetland on both side of the stream. They intended to stay away from 300 feet from the stream. There are is no public bridge on the site.

R. Tuschner made a first call for requests for further comments. R. Tuschner made a second call for requests for comments. R. Tuschner made a third call for requests for comments. At 8:00 p.m. R. Tuschner closed the floor to public comments. The Weltzien non-metallic sand mine was put on as an agenda item for the next Board meeting.

R. Tuschner moved from item e to item f on the agenda. R. Tuschner requested it be on record that he was told that a representative from the Trempealeau County Department of Land Management would be in attendance at the meeting. There was no representative from Trempealeau County Department of Land Management in attendance.

Alpine non-metallic sand mine on road and intersection updates on Soppa Road/Highway 95. R. Tuschner, Chairman, advised this topic will not be open to public comments. This topic was discussed with Tom Beekman, Regional Planning Chief of the Northwest Region of Department of Transportation; Jim Koenig, Engineer for the Department of Transportation Norwest Regional Office in Eau Claire; Rick Tumaniec, Operations Engineer for the Department of Transportation Northwest Regional Office in Eau Claire; Brian Senn, President of Alpine Materials Corporation; Dan Hendrington of SEH (Short Elliot Henderickson Inc.), the Town of Arcadia Board of Supervisors and was also to include a representative from Trempealeau County Department of Land Management.

Brian Senn of Alpine Materials and Dan Hendrington with SEH advised those in attendance that they need to upgrade the intersection of Soppa Road. Mr. Senn stated that it would be best to upgrade Soppa Road prior to the mine operation.

R. Tuschner explained that Mr. Marco brought to R. Tuschner the final state approval of the intersections for signature. R. Tuschner went on to explain that he had attended a meeting in Whitehall, and was told at that meeting about the intersections between Soppa Road and Paul Sonsalla Road to be directly opposite of each other or as close as possible. The Town of Arcadia Board of Supervisors did not have any knowledge of these documents. The documents that were sent from the Department of Transportation,. R. Tuschner had to obtain the documentation from others who had received the documents. R. Tuschner continued to state that he attended a Department of Land Management meeting and the documents stated that the Department of Transportation wants to align the driveways directly across from each other or as close as possible. R. Tuschner was told at the meeting that R. Tuschner holds the "trump card". He knew that it meant

that the issue was put back onto the Town of Arcadia Board. R. Tuschner stated he personally is "sick and tired" as a Board member of the process.

If the Town of Arcadia Board makes a recommendation that a Town of Arcadia road should be improved, it is the responsibility of the Town of Arcadia Board. When the road improvement is for a county highway then Trempealeau County is responsible. When the road improvement is for a state highway, then the State of Wisconsin is responsible. R. Tuschner made an inquiry to Tom Beekman. R. Tuschner asked where does the Town of Arcadia Board of Supervisors authority start, where does it end? Where does the County authority start, where does it end? Where does the State's authority start, and where does it end? Who has the final say? R. Tuschner spoke with the Wisconsin Town's Association Attorney, and he advised that the Town of Arcadia Board has no final authorization. R. Tuschner also spoke with the Bruce Kostner, Town of Arcadia, Attorney and he also advised that the Town of Arcadia Board has no final authorization. R. Tuschner stated he was told the Town of Arcadia Board's authority begins at the start and end of a Town of Arcadia road.

Mr. Tom Beekman, from the Department of Transportation explained that there are different levels of access authority and therefore they are also different levels of statutory authority depending on what has been applied on a given highway.

Highway 95 is not identified as a controlled access highway. They can control private access. They do not have explicit authority on a highway like Highway 95 even though it comes onto the state highway. If there is development which occurs that wants to use that roadway, they cannot force anyone to have to make an upgrade on an intersection. They have to deal with it retroactively. They do not have a permitting authority.

Mr. Beekman continued to state that no one has to come to them to build anything at an intersection that generates a hundred, thousand or ten thousand cars. They have to deal with those consequences when ever we are able to with the funding streams and the process that we are dealt with. Their association with the towns and the counties is that as a condition of a permit to see if proper attention can be paid to what traffic improvements should be made or could be made to allow traffic that is using that state highway or the local road to cohabitate safely and efficiently with extra demands are being placed on it by business. They are dependant upon either what ever permitting authority goes into that decision. It could be a building, occupation or zoning permit. It depends on the document that allows that item to go operational at the local level. They can be part of that to discuss what the impact on the highway system and would like to get that part of the permitting process. The Department of Transportation does not have a denial authority on any business unless they are asking for a private access. If the business wants to improve their own private access we have 100% control.

R. Tuschner requested from Tom Beckman that the Town of Arcadia Board of Supervisors made aware of upgrades/changes that effect Town of Arcadia roads. Discussion followed on the road and intersection updates on Soppa Road and Highway 95.

A motion was made by I. Pronschinske and seconded by M. Wineski to approve the plan of intersection improvements for Soppa Road and State Highway 95 submitted by SEH (Short Elliot Henderickson Inc.) which has been approved by the Wisconsin Department of Transportation so that construction can begin. The motion was carried with a voice vote.

Kyle Slaby made a proposal to the Town of Arcadia Board on a non metallic sand mine on the Steven Schneider property along with the property of Rose and Aloizy Walesko. On the non-metallic sand mine site there will be processing with washing. It is approximately 190 acres. The processing operations will take place closer to State Highway 95 along the Proppant Specialists line. There will be approximately five hundred thousand tons of sand removed per year. The mine will use hydrosizers and scrubbers to scrub the sand

stone. They will have a high capacity well on site. They will be recycling most of the water. There will be no access to North Creek Road.

A recess was taken at 9:25 p.m. The board meeting was resumed at 9:31 p.m.

A temporary Class "B" license for Arcadia Sportsman's Club. A motion was made by I. Pronschinske and seconded by M. Wineski to approve the Class "B" Retailers License for the Arcadia Sportsman's Club Sport Show event to be held March 10, March 11, and March 12, 2012. The motion was carried with a voice vote.

The Mutual Aid agreement with Town of Trempealeau. A motion was made by I. Pronschinske and seconded by M. Wineski to accept the Mutual Aid agreement by the Town of Trempealeau. The motion was carried with a voice vote.

A discussion occurred on the 2012 Fire Department budget. M. Wineski advised the Board members that the Town of Arcadia portion of the 2012 Fire Department budget is \$69, 872.46. The first half payment is \$34,936.23. A motion was made by M. Wineski and seconded by I. Pronschinske to approve the 2012 Fire Department budget. The motion was carried with a voice vote.

E. Helwig updated the Board on the current voice mail system. She advised that she was given incorrect information from the first representative from Century Link. The voice mail system has now been activated. There is a 24 hour waiting required prior to setting up the system. If all goes well, the new system should be working within 24 hours. She advised that Larry Kopp did call and advised that he would warranty the unit for one year. R. Tuscher, Chairman requested an update at the next Board meeting.

Correspondence:

A statement dated January 31, 2012 was received from Mr. James Andre. This statement was put on as an agenda item for the next Board meeting.

Health insurance premium overpayment and reimbursement. This was put on as an agenda item for the next Board meeting.

A motion was made by I. Pronschinske and seconded by M. Wineski to set the next Board meeting for Thursday, February 23, at 6 p.m. The motion was carried with a voice vote.

A motion was made by M. Wineski and seconded by I. Pronschinske to move into closed session for specific matters for discussion and possible action by town board in closed session per Wisconsin State Statute 19.85(1)(c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercise responsibility."

Roll call taken: R. Tuschner-yes; M. Wineski-yes; I. Pronschinske-yes. The Board convened into closed session at 9:48 p.m.

A motion was made by I. Pronschinske and seconded by M. Wineski to reconvene into open session open session per Wisconsin State Statute 19.85(2). Roll call vote was taken: Tuschner-yes; Pronschinske-yes; Wineski-yes. The Board convened into open session at 10:33 p.m.

A motion was made by M. Wineski and seconded by I. Pronschinske to hire Ronald Grulkowski as a full time employee for the Town of Arcadia. This will be effective February 16, 2012 at a wage of \$16.93 per hour with 2 (two) weeks vacation effective February 15, 2013. The motion was carried with a voice vote.

A motion was made by M. Wineski and seconded by I. Pronschinske to hire Jason Kamrowski as a part time employee for the Town of Arcadia. The wage is \$14.00 per hour with no benefits. The motion was carried with a voice vote.

A motion was made by I. Pronschinske and seconded by M. Wineski to adjourn the meeting. The meeting adjourned at 10:45 p.m.

Respectfully submitted by,

Elva V. Helwig  
Town of Arcadia Clerk