

# **TOWN OF ARCADIA**

**Trempealeau County**



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**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 Tuesday, March 27, 2012 at 7 pm**

The March 27, 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. The Board members present were Chairman Ronald Tuschner and Supervisor Michael Wineski. Also present were the attached list of residents.

A motion was made by M. Wineski to adopt the agenda as prepared. R. Tuschner requested that agenda Item b. Hoesley non-metallic sand mine by Operator, Tim Barth be removed from the agenda. M. Wineski motion was revised to adopt the agenda with item b removed. This was seconded by R. Tuschner. The motion was carried with a voice vote.

A motion was made by M. Wineski and seconded by R. Tuschner to approve the February 23, 2012 meeting minutes. The motion was carried with a voice vote. The minutes for the March 14, 2012 will be presented for approval at the next Board meeting.

A motion made by M. Wineski and seconded by R. Tuschner to approve disbursements of March 27, 2012 voucher #16829 through voucher #16853. The motion was carried with a voice vote.

At 7:02 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the March 27, 2012 agenda.

Kyle Slaby submitted a document to the Board of Supervisors on behalf of the Slaby non-metallic sand. R. Tuschner read the document aloud to those present. The document stated that the Slaby Non-Metallic Sand Mine, owner Joseph Slaby, Operator Kyle Slaby is going to do business as North Creek Sand, LLC, Paul Sonsalla Lane Project. K. Slaby requested that North Creek Sand, LLC, Paul Sonsalla Lane Project be put on the next scheduled agenda. K. Slaby requested that the Town of Arcadia notify in writing, the land owners located along Paul Sonsalla Lane to remove the encroachments in the right-of-way, so that North Creek Sand, LLC can begin to reconstruct Paul

Sonsall Lane. It was also stated in the document that North Creek Sand LLC would contact owners along Paul Sonsalla lane in writing of the request, and would identify to property owners what encroachments are in the right-of-way.

Ron Benusa commented on the non-metallic sand mine usage on Thompson Valley Road. He stated "Based on the decision of the land owners for that property they became part of the City of Arcadia, they will be receiving electricity and paying taxes to the City of Arcadia. It is clear that you (referring to the non-metallic sand mine operator/owner) have made the choice to receive services from the City of Arcadia and therefore you should be working with the City of Arcadia to provide access to the property. Businesses have chosen to locate within the city limits due to the fact that they did not like the Town of Arcadia regulations. What is the Town of Arcadia to gain from the roads? County trucks will be running on the road, do they have to follow the Town of Arcadia regulations? Who is going to clean the road? Who is paying for repairs of the road? The Town of Arcadia Board is voted by the people of the Town. These people (referring to the non-metallic sand mine operator/owner) choose not to be part of the Town of Arcadia because of the Town regulations."

R. Tuschner made a second call for requests for comments. R. Tuschner made a third call for requests for comments. No public further comments were made. At 7:10 p.m. R. Tuschner closed the floor to public comments.

Amendment for the Suchla non-metallic sand mine by Operator, Dave Hesch:

This was a only an informational presentation for an application for an amendment for 35 acre parcel of property which is located between Myers Valley Road and Highway J. It is the location of the home of Kerry Suchla. A knob would be removed where the home is located which is along Myers Valley Road and Highway J. The total acreage, which will include a retention pond, will be 35 acres. It would go to the property line of Dennis Bagniewski, which is located on the south side of this project. Submitted to the Town of Arcadia Board for consideration are two plans for access to the property. The first access would be off Highway J between Myers Valley Road and the residence of Dwayne Suchla. The second access would be coming out on at the junction of Myers Valley Road and Highway J. A recommendation was made by D. Hesch to the Board to visit the site.

There is a second site that is being considered which consists of 54 acres which is behind the milking facility on the Suchla property. Since this site has not been bored or tested it is not going to be presented to the Town of Arcadia Board for consideration until the site has been bored and tested.

The site for consideration is the location of the home of Kerry Suchla. The home would be removed to a new location and the hill would be taken off. The water table for the existing permit would remain the same. R. Tuschner advised D. Hesch the Board would visit the site prior either together or individually prior to the next Board meeting. The entire site is 35 acres, approximately 20 acres would be mined and 15 acres would be retention ponds and reclamation. The Suchla Non-metallic sand mine was put on as an agenda item for the next Board meeting.

North Creek Sand non-metallic sand mine by Operator, Kyle Slaby:

K. Slaby provided a formal presentation on a non-metallic sand mine on the properties of Steven Schneider, Rose Walesko and Sharon Waldera. A copy of the proposal is on file at the Town of Arcadia office.

Proposing to have semi processed sand coming out of the mine. The ultimate goal is to wash the sand and to bring a jaw crusher, and screen. There is an anticipate use of explosives, with a licensed blasting contractor.

It was estimated that 500,000 tons of sand would be removed within each year. The life span of the mine would be approximately 16 years. The mine would begin on the side of State Highway 95 advancing forward toward the corner of Schneider, Proppant Specialist and Patzner.

At 7:55 p.m. R. Tuschner opened the floor to public comments. Questions and comments were made by the residents in attendance and were answered by K. Slaby or the Board.

R. Tuschner made a second call for requests for questions or comments. R. Tuschner made a third call for requests for questions or comments. At 8:18 p.m. R. Tuschner closed the floor to public comments.

Arcadia non metallic sand mine usage of Thompson Valley road for frac sand usage to Highway 95:

Doug Sokup and Mike Sokup would like to the use of Thompson Valley Road for the Arcadia non metallic sand mine. They would like to propose .15 cents a ton to the Town of Arcadia for maintenance and up keep of the road. M. Wineski did not feel that the amount proposed was sufficient for the maintenance and up keep of the road and bridge.

D. Sokup state there would be approximately ½ million ton of sand removed each a year. It would be approximately 100 trucks per day. D. Sokup clarified that they would proposes .15 cents a ton a day to the Town of Arcadia and bond of \$100,000.00. The life of the mine would be 20 years.

M. Wineski stated he did not want to put a cap on the amount to be held for maintenance of the road and bridge. R. Tuschner stated that the Town of Arcadia would require a \$100,000.00 Irrevocable Letter of Credit until enough funds are received to cover the costs of maintenance/repairs, then a discussion on a cap would occur.

At 8:40 p.m. R. Tuschner opened the floor to public comments.

D. Sokup stated that D.O.T. made a recommendation that 4 feet of black top be placed on the road. D. Sokup confirmed that he would follow the recommendation. The driveway into the mine will be made wider and will be relocated. The road will be repaired prior the mine trucks using the road. R. Tuschner stated the Town of Arcadia is responsible for getting the road the repaired to Town of Arcadia standards.

A concern was raised regarding the hours of operations. The Town of Arcadia does not have the authority to regulate the processes of the Arcadia non-metallic sand mine. The Town of Arcadia can only limit the load weight limit during the Spring thaw. The Town of Arcadia has the ability to charge for the repair of a road.

Other questions and comments were made by the residents in attendance and were answered by D. Sokup or the Board.

R. Tuschner made a second call for requests for questions or comments. R. Tuschner made a third call for requests for questions or comments. At 8:50 p.m. R. Tuschner closed the floor to public comments.

A motion was made by R. Tuschner and seconded by M. Wineski to charge for road maintenance and up keep of Thompson Valley Road .15 cents per ton paid to the Town of Arcadia on monthly bases with a \$100,000.00 Irrevocable Letter of Credit which can be renegotiated within the first 10 years of the mining operation. The motion was carried with a voice vote.

Town of Arcadia policy when a non-metallic sand mine requests correspondence to be mailed to property owners. M. Wineski clarified that that a policy will need to be written and be presented at the next Board meeting.

A resolution adopting the Trempealeau County Multi-Hazards Mitigation Plan for 2012 -2016.

M. Wineski stated that he received the mitigation plan for the next four years, which happened after the last flooding. He read the resolution aloud to those present at the meeting.

A motion was made by M. Wineski and seconded by R. Tuschner to pass the Resolution adopting the Trempealeau County Multi-Hazards Mitigation Plan for 2012 – 2016. The motion was carried with a voice vote.

Road Crew dress code policy.

Discussion was held with F. Conrad regarding the dress policy. R. Tuschner stated that there shall be no tennis shoes worn during work hours. Shoes worn should be good work shoes. Long pants shall be worn, no shorts. The Town of Arcadia shall provide the proper gloves, vests, eye protection, and ear protection and other safety items required by the road crew employees. These should be put into the Town of Arcadia Policies and Benefit handbook. F. Conrad stated his concern when blade patching the cab of the grader gets very hot. He requested to have air conditioning put in the cab of the grader. The estimated cost for air conditioning would be approximately \$3000.00. R. Tuschner requested the F. Conrad get a true estimate and put it on the agenda for the next Board meeting.

A motion was made by R. Tuschner and seconded by M. Wineski that the dress code policy states that there shall be no tennis shoes worn during work hours. Shoes worn should be good work shoes. No shorts can be worn during working hours. Long pants shall be worn. The Town of Arcadia shall provide the proper gloves, vests, eye protection, ear protection and other safety items required for use by the road crew employees. The motion was carried with a voice vote.

Set the date for Spring Clean Up Day.

A motion was made by M. Wineski and seconded by R. Tuschner to set the Spring Clean Up Day for Saturday, May 5, 2012 from the hours of 8 am until 12 noon. The motion was carried with a voice vote.

F. Conrad provided an update on the Town of Arcadia projects, maintenance and equipment.

Update – The same problem on Linden Road is occurring on Myers Valley Road, Korpall Valley Road. The clay is on the top of the black top. It is currently being dug out.

The new tractor will arrive in South Dakota with the week. We should have by the end of May or by the middle of June.

The box on the read truck needs to be repaired. R. Tuschner requested the Fritz obtain a bid and provide an option for another dump bed or sander on the frame.

R. Tuschner made an announcement to the residents in attendance that if any residents traveling on the town roads and see any stop signs, or any signs that are turned or missing to please call report it to the Town Office so it can be corrected in a timely manner.

M. Wineski announced that the date of the Comprehensive Planning meeting was changed from April 10<sup>th</sup> to April 9<sup>th</sup> as the Annual Town Meeting is scheduled for April 10<sup>th</sup> at 7 pm at the Town of Arcadia.

R. Tuschner had a request for clarification from Kyle Slaby regarding the name change of the Slaby Non-Metallic Sand Mine. K. Slaby clarified that the name is now North Creek Sand, LLC – Paul Sonsalla Lane Project and North Creek Sand, LLC – State Trunk Hwy 95 Project. K. Slaby would handle the amendment change in Whitehall. R. Tuschner requested that a copy of the amendment change be provided for the Town of Arcadia files.

#### Correspondence

E. Helwig advised the Board that the Trempealeau County Department of Land Management has a hearing date for April 11, 2012 at 9:05 a.m.

Agenda items were discussed

A motion was made by M. Wineski and seconded to set the next regular Town of Arcadia meeting to Thursday, April 12, 2012 at 7 p.m. The motion carried by a voice vote.

A motion was made by M. Wineski and seconded by R. Tuschner to adjourn the meeting. The meeting adjourned at 9:20 p.m.

Respectfully submitted by,

Elva V. Helwig  
Town of Arcadia Clerk

