

TOWN OF ARCADIA

Trempealeau County



W26051 State Road 95, Arcadia Wisconsin 54612 • Phone and Fax (608) 323-3470
• Email: townofarcadia@triwest.net

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 Thursday, September 12, 2013 at 7:00 p.m.

The board meeting was called to order by Chairman Ronald Tuschner at 7:00p.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.

R. Tuschner requested item 8A be removed from the agenda. A motion was made by I. Pronschinske and seconded by M. Wineski to adopt the agenda with the removal of 8A Bob Boberg zoning reclassification of Pierzina farm from agriculture to commercial. The motion was carried unanimously with a voice vote.

A motion to approve the meeting minutes of August 5, 2013 was made by I. Pronschinske and seconded by M. Wineski. The motion was carried unanimously with a voice vote. A motion to approve the meeting minutes of the Special Board Meeting of August 12, 2013 was made by I. Pronschinske and seconded by M. Wineski. The motion was carried unanimously with a voice vote. A motion to approve the meeting minutes of August 19, 2013 was made by I. Pronschinske and seconded by M. Wineski. R. Tuschner questioned the documentation of petitions handed in. Discussion followed. Beth Killian will check on this and report at the next meeting. The motion was carried unanimously with a voice vote. A motion to approve the minutes of the Comprehensive Plan Committee meeting of August 12, 2013 was made by I. Pronschinske and seconded by M. Wineski. The motion was carried unanimously with a voice vote.

A motion was made by I. Pronschinske and seconded by M. Wineski to approve disbursements of September 12, 2013. The motion was carried unanimously with a voice vote.

At 7:06 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the September 12, 2013 agenda. LaRayne Kupietz spoke about trucks using jake brakes at night on Thompson Valley Road. Jason Gesile stated that trucks from Arcadia Sand, LLC only operate from 6:00 am to 6:00 pm. L. Kupietz asked if the first bridge was checked to handle the trucks. I. Pronschinske stated yes. Discussion followed concerning the dip on the approach to the bridge. L. Kupietz asked if the Town of Arcadia had a copy of the Conditional Use Permit from the City of Arcadia. The response was no. She then questioned trucking in of sand from other mine sites. Discussion followed. Robert Kupietz questioned where the money from the sand mines goes. R. Tuschner responded that the only money the Town of Arcadia receives is through taxes and road use agreements. Discussion followed about current sand mines operating. R. Kupietz requested a

temporary road repair before winter. Bobbi Suchla also discussed the dip by Jim Kreibich's. This will be looked into. At 7:15 pm R. Tuschner closed the floor to public comments.

Possible Repair of Rainey Valley Bridge

Randy Conrad stated that this 10 Ton bridge was looked at. Discussion took place about the status, location, rating, access, and cost. R. Tuschner talked to a resident using the bridge and its effect. M. Wineski questioned the cost of removal. R. Conrad will get costs to demolish and remove the bridge and bring this to the next meeting.

Closing of the Cemetery Fund

This was discussed at the last meeting. A motion was made by M. Wineski and seconded by I. Pronschinske to close the cemetery fund, add it to the general fund, and continue to pay for the cemetery costs out of the general fund as a line item in the budget. The motion was carried unanimously with a voice vote. I. Pronschinske questioned the mowing hours on the attached sheet. Clarification was made by B. Killian.

Cost of a Lot

Current lot price for the Town of Arcadia cemeteries is \$250.00. Discussion was held concerning other cemeteries in the area. Listing is attached. A motion was made by M. Wineski and seconded by I. Pronschinske to charge \$300.00 to residents of the Town of Arcadia and \$600.00 to non-residents. Discussion followed of residency. M. Wineski amended the motion to state resident or past resident. I. Pronschinske agreed to the amendment. The amendment was carried unanimously with a voice vote. The amended motion was carried unanimously with a voice vote.

Ordinance for Cross Road to Reduce Speed Limit to 45 mph

R. Tuschner read the attached ordinance. M. Wineski suggested the effective date to be November 1, 2013. A motion was made by M. Wineski and seconded by I. Pronschinske to adopt ordinance 2013.1 to lower speed limits on town roads specifically Cross Road. R. Conrad questioned signage of Cross Road. He will check with Trempealeau County. The motion was carried with a roll call vote of 3-0.

Paul Winey's Letter

P. Winey stated his concerns from the attached letter. He addressed the August 5, 2013 meeting: approval of the procedure process for mine applications and not following the procedure just approved for the letter sent to Trempealeau County ELCU on August 6 and received by them on August 7; two weeks premature as the next meeting was not scheduled until August 19; a board member(s) acting outside the new policy. R. Tuschner clarified that he wrote and signed the letter, but he did not deliver the letter. He stated that letters were sent prior to that before this new policy was adopted. The mine was in the process and adopted minus the conditions attached to it. He stated that he has done this before. He feels there was no error in completing this. P. Winey continued to discuss the new policy. R. Tuschner restated that he felt there was no error of the policy adopted that night, because it had been done before; previously letters were not at the ELCU for the meeting; applications for the conditional use permit have been accepted previously pending the arrival of the CUP's from the Town of Arcadia; past practice; this mine was approved pending the CUP's. P. Winey discussed the County approval, August 30 date, and procedural policy. R. Tuschner again explained the mine was already in process, had been approved by the Town of Arcadia Board, and the CUP's would be approved at the subsequent meeting. P. Winey suggested that the letter of support should have waited until the CUP's were attached. R. Tushner again explained that this has been done in the past. I. Pronschinske discussed

Open Meeting Laws and discussion followed. M. Wineski commented that he thought the Clerk handled the letters, things seemed to happen fast, but he didn't think something was done wrong. He would continue to maintain and enforce the policy as approved. P. Winey then referenced his letter and the notification of the neighbors. He felt there was a lack of public input at the August 5 meeting and the format of that meeting; and if that format would be used for future meetings. His last point was violation of due process. R. Tuschner spoke about the repetitiveness of the last meeting; other governmental meetings; how to structure public comments and not to cut comments out; questions were answered by AllEnergy Silica; and Attorney Brovold ran the meeting properly. M. Wineski agreed that it was appropriate for the circumstance, it does not set precedence, but it could happen again. Everyone got to speak at the first and second meeting and questions were answered. It was structured due to the matter of time, but no one was denied. I. Pronschinske agreed with M. Wineski. He stated that as of January 1, 2013 there were only 50.4 acres opened for mining. This information came from the Comprehensive Plan Committee meeting. He discussed the closure of the mine on County Road J and people want to see closure. P. Winey asked about future process. M. Wineski suggested a special notice for that agenda item using that structure. Discussion followed about the scale of mines, amount of interest, questions/answers, and inappropriate advertising. I. Pronschinske discussed hauling of river sand, sand on the highway, and sanding of roadways in winter. P. Winey thanked the Board. Marlys Kolstad asked for clarification of the letter previously discussed and the signature. R. Tuschner explained that he either personally signs items or his stamp is used by the Clerk. M. Kolstad wanted to know if it is normal procedure for a private party involved to hand deliver a letter to the Zoning Office. R. Tuschner explained some letters are sent by email, mail, or hand delivered. Noreen Haines delivered this letter. R. Tuschner stated that the Town Chairman has completed duties not normally completed by the Chairman so that things could get done. I. Pronschinske explained past situations in which the regular mail didn't arrive in time. M. Kolstad thanked the Board. B. Suchla wanted clarification of the letter timeline. Discussion followed concerning the final plan for AllEnergy Silica, public discussion about the plan, and Board authority.

Approval of Operators License for the Following Applicants: Bailey Thomas and Nicole Walek

Nicole wishes to change her last name to Suchla, since she recently married. Both applicants have met the requirements. A motion to approve the applications with the change as presented was made by M. Wineski and seconded by I. Pronschinske. The motion was carried unanimously with a voice vote.

Approval of the Town of Arcadia's Comprehensive Plan

The Committee unanimously approved bringing the plan to the Board and to the County for inclusion within the County's Comprehensive Plan. A motion was made by I. Pronschinske and seconded by M. Wineski to approve the Comprehensive Plan as presented by the Comprehensive Plan Committee. The motion was carried unanimously with a voice vote.

Budget for 2014 Arcadia Ambulance Service and Housing for Ambulances

I. Pronschinske presented information for the 2014 budget. The Town of Arcadia population, (1796) per capita charge of \$12.30. Discussion followed: comparison to last year's budget, updated and increased population, reasons for increase, and future plans and ideas. A motion was made by I. Pronschinske and seconded by M. Wineski to approve the 2014 Arcadia Ambulance Service budget. Discussion was held concerning ambulance budget and fire department budget. I. Pronschinske will get more information on increases and reasons for increases. The budget will be decided at the November meeting of the Ambulance meeting. Discussion continued as to reasons why the increase may be. The motion was made by R. Tuschner to table this to the next meeting.

Update on Soppa Road

I. Pronschinske has not contacted Jason. They will meet in the future.

Purchase of Vacuum Cleaner

Bissel Pro Tough commercial vacuum = \$229.99 and the Shark Navigator = \$149.99. Shark Navigator is a recommended vacuum by Shopko employees and an article in the La Crosse Tribune. A motion was made by R. Tuschner and seconded by M. Wineski to purchase the Shark Navigator from Shopko. The motion was carried unanimously with a voice vote.

Set Meeting Date(s) for 2014 Budget Process

Discussion was held about the process including: using worksheets, what was not completed this year due to budget restraints, what needs to be completed, a "wish" list, and what dollar amounts are needed, and what has been spent so far. A motion was made by M. Wineski and seconded by I. Pronschinske to set the meeting for 7:00 pm. on September 26, 2013 at the Arcadia Town Hall. The motion was carried unanimously with a voice vote.

Correspondence:

Received a copy of a certified letter sent to Mr. Hanson that the Wozney one-half of the boundary line fence was completed. Nancy Rohn changed the Construction and Machinery accounts to have a minimum balance of \$1000.00 to prevent a monthly service fee of \$15.00 per account. A notice was received from the DOR about no more changes to property tax bills, changes in occupational tax on grain and managed forest land and private forest crop rates; and estimates of the 2014 shared revenue and ERP payment of \$85,699.00. This will be shared and discussed at the budget meeting. The School District of Arcadia has reserved the Town of Arcadia Hall for a referendum informational meeting on October 17 at 7:30 p.m. in conjunction with the City of Arcadia. R. Tuschner has found information on contacting a company about purchasing culverts directly from that company (also the same company the County uses). Korpala Lane and the DNR requirements have been worked on. We have the OK to proceed. A copy of the email is on file in the office. Wilber Road status was discussed.

Discussion and possible action regarding Arcadia Sands, LLC Road Use Agreement by town board in closed session per Wisconsin State Statute 19.85(1) (e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session."

A motion was made by M. Wineski and seconded by I. Pronschinske to move into closed session. A roll call vote was taken: R. Tuschner- yes; M. Wineski- yes; and I. Pronschinske-yes. At 8:38 p.m. the Board of Supervisors convened into closed session along with representatives from Arcadia Sand, LLC.

Return to Open Session Per Wisconsin State Statute 19.85(1) (c)

A motion was made by I. Pronschinske and seconded by M. Wineski to move into open session. A roll call vote was taken: R. Tuschner- yes; M. Wineski- yes; I. Pronschinske-yes. At 9:03 p.m. the Board of Supervisors reconvened into open session.

Possible Action Regarding Arcadia Sand, LLC Road Use Agreement

No action taken. This will be on the next agenda.

Confirm Next Meeting Date of September 23, 2013 and Establish Agenda Items.

A motion was made by I. Pronschinske and seconded by M. Wineski to set the next regular Town of Arcadia Board meeting for Thursday, September 23, 2013 at 7 p.m. The motion was carried unanimously with a voice vote. During the meeting agenda items were discussed. A list is in the office.

A motion was made by M. Wineski and seconded by I. Pronschinske to adjourn the meeting. Motion passed unanimously with a voice vote. The meeting adjourned at 9:05 pm.

Respectfully submitted by,

Beth Killian
Town of Arcadia Clerk