

**TOWN OF ARCADIA**  
**Trempealeau County**



<b>Ronald Tuschner, Chairman (608) 323-3035</b>	<b>Mike Chitko, Supervisor No. 1 (608) 323-2414</b>
<b>Ivan Pronschinske, Supervisor No. 2 (608) 323-7675</b>	<b>Nancy Rohn, Town Treasurer (608) 323-7063</b>

**Town of Arcadia**  
**Minutes of Special Board Meeting**  
**Friday, December 19, 2014 at 6:00 a.m.**

The board meeting was called to order by Chairman Ronald Tuschner at 6:02 a.m. Open meeting certifications were met. Roll call was taken. Board members present: Chairman Ronald Tuschner and Supervisors Michael Chitko and Ivan Pronschinske.

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

**Review of contract between the City of Arcadia and the Town of Arcadia regarding the Brownfield grants**

R. Tuschner stated that this is an amendment and/or a change to the previous agreement discussed on December 17, 2014 at 6:00 a.m. The redline copy had a couple of changes made. Article 1 on 1.1 on the Town's obligations: the Town authorizes the City or its agents to file an application with the addition on its behalf with the EPA to designate the landfill as a brownfield site or for property specific determination under 42 USC 9601 (39) (c) herein the designation. The Town also authorizes the City or its agents to file an application on its behalf in of the new addition for an EPA brownfield assessment. Item 1.2 which is City's obligation: all application materials to be submitted to EPA shall be prepared by the City and/or the City's agents, affiliates, or consultants. The Town shall have no independent obligation to draft or prepare such application materials, but shall have the right to review, comment on, and edit such material prior to submitting the application to EPA. The following is added: to the extent that the Town is not permitted to review the entire application prior to filing, it reserves the right to withdraw the application after filing if it includes erroneous or inaccurate information or is otherwise unacceptable to the Town. R. Tuschner has found no other additions to the application. I. Pronschinske talked about not reading the terms of the conditions, sign the document, and then if there are problems we will deal with it. I understand the deadlines, but if we are going to go forward, we need to reserve the right to bow out if we need to, because the application is not complete. There is so much putting the cart before the horse. He referenced the proper procedures used when working with sand mines. We don't have the application to look at. He understands the importance of this for the Town and the City. He talked about the truthfulness of what is going on, when it started, and what has taken place from the start until now. R. Tuschner stated that the Town's administrative costs are going to be greater than what we anticipated. Everything that comes in must be jointly read, jointly signed off on, and jointly agreed upon. The attorney costs; and everything must pass through him first. It will take more time for the board. He talked about the letter previously signed, and that he won't sign anything in the future without Dan Gustafson reviewing it first. M. Chitko wanted to make sure that this covers the application, investigation, and money for the grant. After the grant is approved there will be another contract to define the duties of the parties. R. Tuschner talked about the Town being the applicant and disbursing the funds and not being responsible to make up any of the material. We need the paperwork for the insurance and bonding. Everything needs to be covered through D. Gustafson. This will be at the City's expense. I. Pronschinske talked about the conversation he had with Beth Killian about her keeping track of the time spent on typing up minutes for meetings concerning this project. Yes, certainly this is their cost, the per diems, the attorney fees, and the cost coming out of the grant. R. Tushner stated that our documentation for reimbursement should be sent in on a monthly basis. Beth will need to keep track of this; board time, her time with the minutes and emails, and administrative costs. I. Pronschinske stated that based on point 1.1, the authorization of the City or its agent on its behalf sounded right to him. M. Chitko agreed. On point 1.2, to the extent that the Town is not permitted to review; we aren't permitted to review the entire application; why would we want to be responsible. Discussion continued on the Town being able to withdraw after filing if there is erroneous or

inaccurate information. I. Pronschinske asked if the application would be done for signing today, December 19. M. Chitko stated that from his reading of emails, he understands that the application is done. R. Tuschner stated that it will be done for submittal today. We should be signing the contract today, Mayor Kimmel and R. Tuschner. Discussion continued on this being signed, the actual agreement with the City of Arcadia, and the application. R. Tuschner will instruct Beth that after this is signed by Mayor Kimmel, we keep the original, the City get a copy, and she go to Whitehall to the Register of Deeds and registers it. This would be like a will, a legal document, to be registered. He referenced a previous land contract that he had made. The cost and her time should be reimbursed. Discussion was held about the checks, monthly disbursements, accounting system/software, having a separate account, and board time/expense sheet. R. Tuschner stated that the board should be worth \$10.00 to \$15.00 per hour for time spent. M. Chitko talked about conference calls and video conferences in the future. Discussion was held about the number of meetings; meeting times; short notification; notification in April or May, 2013 when the presentation was done, because it may have had an impact our constituents; and notification of previous well contamination of the Wiersgalla property/monitoring wells. We need more friendly contact with Green Alliance and the City of Arcadia to keep us informed and transparency. The Town needs to spearhead this transparency. A motion was made by M. Chitko and seconded by I. Pronschinske to accept the final draft copy from Dan Gustafson on the brownfield agreements and application for the former City of Arcadia landfill, referring to the additions of 1.1 and 1.2. R. Tuschner repeated the motion: A motion has been made and seconded to accept the final draft of the brownfield grant application agreement with the City of Arcadia on this, the 19<sup>th</sup> day of December, 2014. This will be signed today. Beth will be instructed to make copies of this agreement, one copy to the City of Arcadia, one copy to Green Alliance of Wisconsin/Green Alliance LLC, the original to be kept at the Town of Arcadia, and the document be registered at the Register of Deeds immediately. Roll call vote: M. Chitko, yes; I. Pronschinske, yes; R. Tuschner, yes. Motion carried unanimously by a roll call vote. R. Tuschner will sign the document.

R. Tuschner adjourned the meeting at 6:50 a.m.

Respectfully submitted by,

Beth Killian  
Town of Arcadia Clerk