

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 Thursday, July 24, 2014 at 7:00 p.m. Amended

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. Board members present: Chairman Ronald Tuschner and Supervisor Ivan Pronschinske. Also present were the attached list of residents.

R. Tuschner led the Pledge of Allegiance.

R. Tuschner made the following announcement: We have just learned 5-10 minutes ago that we are minus a Board member. That Board member resigned because of the flack she is getting from citizenry. He stated that he didn't care if you are opposed or for it; the divisiveness over this thing, you may think it is good; when it should have been resolved a long time ago. When people go to our families and do things and she is not the only one that has been to; shame on anybody that does it. This is my personal opinion. It is time that we can start talking to each other, sitting at a table, across from each other, without hollering at each other, and in plain English we lost one good board member. Thank you. I. Pronschinske made the following comment: I said this a long time ago; I was in business too; when people can sort business, politics, and religion you will have good people sitting on this board. If you can't do that, and they demonize somebody, because of what the business you are in; it is a sad day for the Town of Arcadia. I feel bad that we lost Mike; he was on the board when I got on it. R. Tuschner interjected: 16 plus years. I. Pronschinske referenced the pay being only about \$2,500 per year plus mileage. It is tough to get demonized up here like we have been in the past. It is not right. We have not done anything that we did that we have to take pot shots at. If you have done no wrong, then you cast the first stone. I'm not talking to anybody in general, but take this home with you.

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

A motion was made by I. Pronschinske and seconded by R. Tuschner to approve the minutes of July 7, 2014. I. Pronschinske made an amendment to let the correction read: in the Town Residents' Letter on page 4 where it says J. Bagniewski asked how you can say this is OK in good conscience. What was said how can you look in the mirror at night and sleep. Correct the minutes. R. Tuschner seconded the amendment. There was no further discussion on the amendment. The amendment to the motion was carried unanimously with a voice vote. A motion was made by I. Pronschinske and seconded by R. Tuschner to accept the minutes as amended. There was no further discussion. The motion was carried unanimously with a voice vote. A motion was made by R. Tuschner and seconded by I. Pronschinske to approve the closed session meeting minutes of July 18, 2014. The motion was carried unanimously with a voice vote.

A motion was made by I. Pronschinske and seconded by R. Tuschner to approve the disbursements of July 24, 2014. R. Tuschner had a question on Check #18733 for Vehicle #2: he clarified with Ron Gulkowski that this is the red

truck; single axle; with air conditioning. There was no question with the clarification. The second question on Check #18743 for 20% of yield tax from Chicken Ridge and what it was for. Beth Killian explained the receipt of monies for managed forest land, yield tax, or withdrawal tax and that 20% of that monies goes back to Trempealeau County. This is the portion that was sent back to Trempealeau County. The third comment: anything for a repair on the pay loader (repair of work done from CAT) or grader (air conditioning) is not to be paid until the board says OK. This is due to them standing by their work. There were no further comments or questions. The motion was carried unanimously with a voice vote.

B. Killian presented and explained the quarterly reports cumulative from January 1, 2014 to June 30, 2014. These are in the office for the board members to check out and study.

At 7:10 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the July 24, 2014 agenda, with board approval. In his opinion when the board gets to item 10 B there will be no input from residents because input has already been given and this is for board discussion and board decision. Michael Berkley stated that he owns land in the Town of Arcadia. I didn't know Mike, but he has been a hard worker for this town, and I'm sorry to see what this has come to. He wanted to take about 90 seconds to talk about non metallic mining. He then read a prepared statement which is attached. Noreen Haines thanked Mike, Ron, and Ivan and read a read a prepared statement which is attached. Darlene Rossa read a prepared statement: I am here to support our town board and the decisions that they have made as far as annexation and sand mines. When all is said and done, I believe they are looking out for the over all common good for the town, the city, and the county. We all utilize the town, city, and county facilities. The increase in taxes that will be paid by the mines will help the schools and the communities in general. The negative people at our County Board have caused a problem of annexation. They have made it almost impossible for mines to come into our area, not taking into consideration the amount of tax increases they pay, plus the jobs they develop. Think about it, when a property was paying \$2,700.00 for property taxes and now it's at \$42,000.00, who benefits, all of us. The County has created the annexation problem, not the town or the city. It is too bad it has come to this and been left to our town and city to handle, because our County cannot be open minded enough to look at the overall good for everyone. The rules and laws do not change whether you are in the county or the city. All that change is: the cities are willing to work with the companies and the County slams the door. I am glad our Town Board can look beyond its personal agenda and do what is right for the whole community and protect our constitutional rights as landowners. Thank you all. Roger Haines suggested the board send Mike a thank you for his years of service on the board. He also expressed his appreciation to the board for the years that they have spent and listened to reason, look at the facts, and be progressive about trying to satisfy people. But being progressive and making decisions as you have, dealing with the conflict, I think, it is truly a sign of a good leader, because that is very difficult to sit and take the abuse and still make the decisions that are in the best interest of the of the majority. R. Tuschner gave the second and third call for comments. Since there were no further comments from the public, R. Tuschner closed the public comments at 7:19 p.m. B. Killian requested copies of the prepared statements, so they could be attached to the minutes, thus saving time in writing the minutes.

Approval of Operators License for Shaylah Roesler

B. Killian stated that all requirements have been met. A motion was made by I. Pronschinske and seconded by R. Tuschner to approve the operators license for Shaylah Roesler. The motion was carried unanimously with a voice vote.

Reconsideration of All Energy Resolution

I. Pronschinske stated that the resolution was made, and he didn't see any reason to change at this point. R. Tuschner agreed. It was made and read. Several attorneys' opinions have been given on this. There are opinions on both sides, so he is not willing to do anything on that motion; it stands as presented. I. Pronschinske agreed.

Superior Silica Road Use Agreement

Sharon Masek presented and discussed the revised agreement. A copy is in the file in the office. I. Pronschinske clarified that the road use agreement on North Creek Road and River Valley Road that runs from the mine driveway to Cross Road and Highway 93 are separate. That road is being completely rebuilt to Town of Arcadia specifications for heavy commercial traffic. The Town of Arcadia board is selecting the engineers and tell them everything that we want. R. Tuschner asked if there were any relevant questions on this item. There were none. A

motion was made by R. Tuschner and seconded by I. Pronschinske to accept this agreement. The motion was carried unanimously with a voice vote.

Amber Lane Road Description

I. Pronschinske stated that it was agreed at the last meeting that the road would be completed according to Town of Arcadia specification. It has crushed rock and black dirt. It will be blacktopped next year. Discussion was held about the number of lots, plots, and what has been sold. R. Tuschner clarified that the road is already in, but it will remain crushed rock until next year for settling reasons. I. Pronschinske suggested to set a month to have the blacktop completed. It was agreed it would be blacktopped by July, 2015. Discussion continued on the name of Amber Lane. R. Tuschner read the certified survey map and dedication; the certified certificate from the surveyor; the owner's certificate of dedication; and stated that the consent of mortgage was included. He read page 5 again. A motion was made by I. Pronschinske and seconded by R. Tuschner to accept: resolved that the certified survey map and the Township road dedication on this map in the Town of Arcadia dedicated by Eugene L. Soppa Jr., owner, is hereby approved and accepted by the Town Board of the Town of Arcadia township. The motion was carried unanimously with a voice vote. Discussion was held about the future building, radius, landscaping, and marking for winter plowing. R. Tuschner asked that a certified, stamped copy be provided for the office. L. Soppa agreed that all of that would be sent back to the Town of Arcadia when it gets registered. A motion was made by I. Pronschinske and seconded by R. Tuschner to name the new road Amber Lane. The motion was carried unanimously with a voice vote.

Mill Road Bridge Clarification

A letter from Bob Soules, owner of the former East Arcadia Feed Mill, and Bruce Kostner was received asking about the right of way on Mill Road. R. Tuschner explained the closing of the bridge 8-10 years ago due to the condition of the bridge, lateral bracing, costs to remove from the creek; we have secured funding for 2016 for removal of the structure with State funding; Mr. Soules's concern for his property to the north, west of the road coming in off of Highway 95 and property to the east of 95 on the south side of the bridge; that we were taking access away from him and his land; we are not doing that; we are closing the road which has been closed on both ends, the north and south for several years already. He still has all the access he needs and requires. We have not taken anything away from him. He wanted it stated in the public minutes that we are not taking any right of way away from anybody. He will contact Mr. Kostner and explain this to him also. In looking at the maps and data provided, it is clear we have just closed the bridge, period.

Update on LRIP/Mahutga Lane

R. Tuschner stated that the Town of Arcadia road crew has been working on the road. He talked about the widening, shouldering, and preparing for compliance. He is requesting board permission to have the clerk advertise to get the work completed this year. I. Pronschinske asked about the top. R. Tuschner stated it will be a minimum of 21 feet; some places will be 22, 23, or 24 feet wide.

Amended: The bridge is 22 feet to the inside of the abutment and outside 22 feet. **Correction: The bridge is 22 feet at the outside of both abutments.**

A motion was made by I. Pronschinske and seconded by R. Tuschner to advertise this project. Discussion was held about completion by the 16th and rock washing into the ditches. The motion was carried unanimously with a voice vote.

Report on Community Hot Topics Meeting

These are important topics in the community, not just the Town of Arcadia. This meeting was just the start of it. Only 1 or 2 of the topics are the most important and will be discussed at more depth.

Amended: I. Pronschinske spoke about the July 14 feasibility study of the full-time EMT. **Correction: I. Pronschinske spoke about the July 14 feasibility study of the full-time paramedics. (I. Pronschinske stated EMT, but meant to say paramedics.)**

There will be a future meeting on this with the ambulance board. This will require public input. He spoke about the current status of volunteers, paramedics, costs, and budget. The next ambulance board meeting is August 27, 2014 at the Arcadia Town Hall at 7:30 p.m.. He invited everyone to attend. It may be possible to stay/sleeping at the hospital yet this year. Short term topic: hospital or a rented house. Long term topic: fire department and ambulance

and full-time---buildings. He commented on the good ambulance crew and the representation at the last meeting. The next Hot Topic Meeting will be August 20, 2014 at the high school, second floor, room 219 at 7 p.m. R. Tuschner echoed what Ivan stated; paramedics will cost more money (approximately \$8.00 more per capita); frugality; committee working for the betterment of all 8 communities; involves everyone and hopes there is no divisiveness. Mary Frisch stated that the meeting was heart warming to see all of the different groups of people working together. I. Pronschinske talked about the extra dimension the paramedics brings. Trisha Pehler explained that the ambulance would be more like an emergency room, allow for drugs to be administered, and licensing needed. I. Pronschinske spoke about his personal family experiences. The time frame was discussed for administering the drugs and the recovery.

Set Fall Clean-up Date

A motion was made by I. Pronschinske and seconded by R. Tuschner to set the fall clean-up date for Saturday, September 27, 2014 from 8 am to noon. I. Pronschinske will meet with the clerk to discuss items to be taken in for the ad which will be placed in the newspapers. The motion was carried unanimously with a voice vote.

Schedule for Interviewing/Hiring

R. Tuschner explained the reason for setting this date. There have been quite a few applications. This will be in executive session. A motion was made by I. Pronschinske and seconded by R. Tuschner to set Monday, July 28 at 6:00 p.m. The interviews will each be 25 minutes in length. The Clerk will call and set up the schedule. The motion was carried unanimously with a voice vote.

The agenda deviated to item #11, so the men or other people may go home.

Update by Town of Arcadia Road Crew on Town of Arcadia projects, maintenance, and equipment

Jon Olson stated that they are working on lane widening, blacktop, bridge on Stevens Lane, Halverson Lane, washouts, culverts, seal coating, and mowing. R. Tuschner stated that we are hiring part-time workers to help with projects and for residents to be patient until we have another full-time employee. We are prioritizing projects. I. Pronschinske asked about the culvert on Schultz's Lane. Ron Grulkowski spoke about the "bucket list", it is on it, and that it is shrinking. They will get it done next week.

Correspondence: CenturyLink sent in 2 permit applications on Thomas Lane. These will be on the next agenda. July 30 Implements of Husbandry meeting at 7:00 p.m. in Whitehall. R. Tuschner is the only board member attending. He invited everyone to attend; spoke of some of the items that will be discussed; and local control. I. Pronschinske stated that the towns in Trempealeau County should all have the same requirements. This was discussed at the last WTA Unit meeting. Trempealeau County Comprehensive Zoning Ordinance for Gregory R. Armstrong has been adopted. This will be on the next agenda. R. Tuschner spoke about the bridge on Creek Road that is shared by the Town of Lincoln and the Town of Arcadia and its 10 ton posting. He mentioned the process of inspections, funding, load rating, and state aid. He gave an update on Soppa Road and filing for disaster damage aids program.

Discussion was held about the next meeting date and time. B. Killian mentioned the public voting test which begins at 6:00 p.m. and requested the board meeting not start until 7:15. She invited everyone to come to view the public test. A motion was made by R. Tuschner and seconded by I. Pronschinske to set the next regular Town of Arcadia Board meeting for Monday, August 4, 2014 at 7:15 p.m. Motion was carried unanimously with a voice vote. Agenda items are on a list in the office.

Specific matters for discussion and possible action regarding Canadian Silica Industries 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."

At 8:18 p.m. a motion was made by I. Pronschinske and seconded by R. Tuschner to convene into closed session. Roll call vote: Ron-yes; Ivan-yes. R. Tuschner stated that the closed session meeting would be held in the office, everyone was welcome to stay here until they were done, but to keep the noise down.

Reconvene to open session per Wisconsin State Statute 19.85(2)

At 8:51 p.m. a motion was made by R. Tuschner and seconded by I. Pronschinske to reconvene into open session. Roll call vote: Ron-yes; Ivan-yes.

Possible action regarding Canadian Silica Industries

No action was taken.

The next meeting date has been set. Correspondence was read. Update by the road crew was given.

R. Tuschner adjourned the meeting at 8:52 p.m.

Respectfully submitted by,

Beth Killian
Town of Arcadia Clerk

Mike Berkley Attachment:

July 24, 2014

Elected Officials

Town of Arcadia

Arcadia, WI 54612



RE: Non Metallic Mining

In my opinion the opportunity that this area has in regards to Non Metallic Mining (NMM) is unprecedented, and one that should not be lost on limited vision. The opportunity that this area has to contribute to the greater good of this country is remarkable. NMM for sand used in hydraulic fracking in our energy industry plays a critical role in the future of our national security, environmental sustainability and the growth of our national, state and local economies.

As elected officials you have very important responsibilities as to how big of a role this community plays in these and other areas. I hope that as our Elected Officials you have the wisdom to always default back to the freedoms our great constitution provides in regards to personal liberties, democracy and capitalism. As with anything new, the thought of change can bring with it fear, uncertainty and challenges. I believe that the majority of people who fully understand this issue strongly support responsible NMM. I further believe that many people simply have not followed the issue and therefore do not have an opinion. They simply trust their Elected Officials to have the vision and understanding to make decisions that are good for this community and country and that represent the principles of a free and fair society.

I strongly believe that all citizens who have the desire and opportunity to participate in NMM should be enabled by our governmental bodies and not encumbered by them. I also believe that responsible and well funded companies

that are seeking to bring business to this area should be welcomed and the regulations and rules regarding NMM should be fair and reasonable whether seeking to mine one acre or ten thousand acres. Finally, as I previously stated, I firmly believe that NMM is in the greater good of this country and community and that the majority of people share the principles that I have presented to you today.

Thank you for this opportunity to address the board and thank you for your service as our local elected officials.

Michael Berkley

Landowner/Tax Payer

Town of Arcadia

Noreen Haines Attachment:

I would like to personally thank Mike, Ron and Ivan for giving of their time to work diligently for the Town of Arcadia taxpayers. We are so lucky to have leaders like them to take on this thankless job of making decisions for the total population of the Township. I believe the things they have done for the township have benefited all of us.

We are lucky to have people who want progress. Imagine this – they could have voted no on every sand mine project or any building projects that needed approval that came through this township. But instead they voted to be progressive. Can you imagine what it would be like if everything you wanted to do on your land that you pay taxes on was scrutinized by a small minority and yet the Town Board would listen to the minority and vote accordingly? Today it could be the sand mines being voted down. Next it could be chicken coops, larger dairy farms, etc that would be turned down in our township.

We all know that everything we do in life has an impact. Some of these impacts are positive and some are negative. Just coming here tonight – driving our vehicles – has an impact on someone somewhere.

I believe we need to start working together – not against one another. When we don't work together, we all pay for it.

Noreen Haines (7-24-2014)