

# TOWN OF ARCADIA

Trempealeau County



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## Town of Arcadia Minutes of Regular Board Meeting Monday, September 8, 2014 at 7:00 p.m. Corrected Minutes

The board meeting was called to order by Chairman Ronald Tuschner at 7:00 p.m. Open meeting certifications were met. Also posted was the Trempealeau County Board of Supervisors special meeting on September 3, 2014. Roll call was taken. Board members present: Chairman Ronald Tuschner and Supervisors Michael Chitko and Ivan Pronschinske. Also present were the attached list of residents.

Richard Klonecki led the Pledge of Allegiance. I. Pronschinske commented that a group of people want to remove the phrase "under God" from the pledge.

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

A motion was made by I. Pronschinske and seconded by M. Chitko to approve the minutes of August 18, 2014. The motion was carried unanimously with a voice vote. A motion was made by I. Pronschinske and seconded by M. Chitko to approve the closed session meeting minutes of August 18, 2014. The motion was carried unanimously with a voice vote. A motion was made by I. Pronschinske and seconded by M. Chitko to approve the minutes of the special board meeting for opening bids on Thompson Valley Road of August 21, 2014. The motion was carried unanimously with a voice vote. A motion was made by I. Pronschinske and seconded by M. Chitko to approve the special board meeting minutes for opening bids on Mahutga Lane on August 27, 2014. The motion was carried unanimously with a voice vote.

A motion was made by I. Pronschinske and seconded by M. Chitko to approve the disbursements of September 8, 2014. The motion was carried unanimously with a voice vote.

At 7:07 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the September 8, 2014 agenda. Mary Frisch read a statement. "This statement is not intended to be an admission of guilt or innocence, nor is it intended to sway the actions of town officials in regard to this matter. However, I am extending a public apology to the Town of Arcadia board members for my breach of decorum at the July 24th board meeting. I regret that it happened and it will not happen again." Becky Larsen read a statement. "Good Evening. I am Becky Larsen and I am here to apologize for the poor judgment shown Thursday evening, July 24th, at the Town of Arcadia Board meeting. I understand why some of you are so upset with me, even though what I did was not illegal. I was told prior to approaching Beth's table, that it was "ok" to see a letter received by the board members as it was public record. Legal, yes, but definitely not ethical! I can assure you that this will never happen again. Thank you." R. Tuschner requested that M. Frisch and B. Larsen approach the board table to shake hands. He thanked them and stated that it was very much appreciated. He also stated that it took courage to come up and do what they just did. Darlene Rossa read a statement. "I would like to make a statement regarding a post on social media made by one of our elected officials. The post referenced my family although we were not named; anyone at the meeting would know what the post was referring to. The motion to combine the clerk and treasurer position and the motion to make this position a hired instead of elected is not a personal attack towards anyone in office. We are currently electing people blindly. We do not

know if they have the qualifications to do the job. This position has some job skills required, such as computer experience with general ledger, payroll, accounts payable, also with financial reports, Word, Excel, and Quickbooks, internet, and website management. There should be a strict adherence to a conduct code recognizing and respecting public access to information, but also confidentiality is expected and required. We are not concerned about the costs. We are concerned about costs, but we should be to the point of concern over job performance and accountability. Our board works closely with this position, and we have to trust in their judgment as far as salary and budget control. I have confidence in them, and I ask at this time, if the board would like to address the rumor of the monetary mistakes that have been made in these positions." Andy Jaszewski was curious if the referendum on that issue that we just heard about has been drawn up yet, and if it will be going to referendum in November. R. Tuschner stated no, that the paperwork has been sent to Mr. Syverson, but that is as far as we know. I. Pronschinske commented that the board plans to have a meeting on it. A. Jaszewski asked if the wording had been completed. M. Chitko stated that this would be a good time to explain the steps that would be taking place. R. Tuschner stated that we do have the position as clerk/treasurer. That is completed. The position was combined at the annual meeting. The question coming up at the November election is if you want it to be an elected position or do you want it to be an appointed position. We don't have the wording yet. I. Pronschinske stated that that would be the only question. M. Chitko stated that there would be meetings, separate nights, to discuss the pro and con. Everyone would know what happens to an elected position and how it would be different from an appointed position. Then when you vote in November, you will know which way to vote. Noreen Haines read a statement. "Over the past couple of months, I have seen for myself why it would be beneficial to have three elected Board members and an employed office staff member. I was in attendance at the July 24th meeting where I witnessed an incident that made me realize that having all elected people isn't the best for our Township. For those who weren't present at that meeting, here is what I saw: First of all, some background. The All Energy resolution was brought up that evening. It was early on the agenda and many other items followed that agenda item. Almost at the end of the meeting, the Board motioned to go into closed session. While in closed session, I couldn't believe what I was seeing. Our town clerk— sitting up at the front table – moved away from the table. It wasn't long after that when I witnessed two ladies go up behind that table and stand and read something that was on a pile of papers where our town clerk had been sitting. I was so appalled that I brought it to the attention of those sitting around me. I asked them what was going on. My instinct told me that since I had my Ipad in my hand, I needed a picture of this. It wasn't long after the two ladies sat down, when another fellow went up to the table and began reading something that was on the clerk's pile of papers. I also thought that was worth a picture as I again couldn't believe it. The following morning, I called one of the two ladies at her home and asked her what she was reading while standing by that table. She told me that she was reading an email from Attorney Bruce Brovold. She stated that there were two opinions but she didn't read the one on the bottom. I wonder if this incident on July 24th would have been handled differently - if we would have had a hired office position? I feel that it is a good move for our township to hire someone for the clerk/treasurer position. I know that will result in the township having to hire an outside auditor. In my mind, an audit can be beneficial in many ways. 1. It protects the people who are involved in the bookkeeping process. 2. It protects the township as a whole. 3. An auditor can help with the education and changing processes that the township needs to be aware of. In my opinion, it's really a small price to pay for insurance for our township. Our township is a business. Most businesses have audits..." Jon Schultz stated that briefly he wanted to apologize to some people. There is a number of people in the community that because of their relationships with the plaintiffs against the County, he is not able to talk to them about that topic. He is not trying to avoid talking to them, but he has been advised not to talk about that matter with certain groups of people.

**CORRECTION AS CLARIFIED BY JON SCHULTZ BY B. KILLIAN, CLERK: Jon clarified that he cannot communicate with people who are openly communicating with the plaintiff concerning that litigation or associated project.**

After the second and third call and having no further comments from the public, R. Tuschner closed the public comments at 7:17 p.m.

Comments from the Board: I. Pronschinske talked about the last meeting and the appointment of M. Chitko. He read the procedure for board replacement citing State Statute 17.25. If someone wants a copy, they may get one from the clerk. He clarified the way the replacement was made. He talked about values; giving an example of a house next to a sand mine. The sand mine bought it. The value of the house was \$116,000, assessed value, and the sand mine bought it for \$225,000. Another sale for 6 acres was assessed at \$204,500 and sold for \$400,000. Another piece of property, 2-2 ½ acres, purchased by the sand mine was valued at \$210,700 and sold for \$369,000. His point was that if you lived next to a sand mine that the houses are not going for full sale value.

**CORRECTION: That is not what I meant. If I said that I stand to be corrected. What I meant was that if you live next to a sand mine, from the stuff I have collected, it seems that houses are going for assessed value and much more. I. Pronschinske stated that the correction should be: They are going for more than way the assessed value; almost double the assessed value, not quite double, but almost double. The clerk asked if this was the correct statement: Your point was that you meant that houses and property are going for more than the assessed value, almost double. I. Pronschinske agreed.**

In another case, in the same area, a new house was built adjoining the sand mine this past summer. Another house was purchased in that same area. People are concerned about the values of the property; a board chairman, not on this board, is dealing with a sand company on his property that is his prerogative; the myth of the values going down is wrong. M. Chitko stated that as the new guy he is learning. He had a response to a question asked at the last meeting about disbursements, who gets a check and for how much, and

that it wasn't on the annual report. The Town has a total transparency in government. You can come into the office and ask for a monthly or quarterly report that gives the details on where, how much, and the check numbers that have been paid out. At the end of the year you get a summary of those numbers. He wanted to clarify that. R. Tuschner commented about talking to Beth and not wanting to be blind-sided, as no one wants to be blind-sided. The comment made previously about what the ladies in the office do; we would think differently; his answer was that previously when there were problems the treasurer and he came into the office along with a part-time clerk from the Town of Trempealeau to catch up on the work. He did not respond at the previous meeting, but he has been in the office until late in the evening along with Julie and Doris, so he knows what it takes. You stay at the job until it is done. Mistakes were made. One was \$20,000 when they overpaid someone. The Town was put on COD, because bills were not being paid. Every board member knows what the gals put up with. The last thing is: working long hours, everybody that works long hours knows, mistakes are more prone to happen. He referenced the budget meeting when the treasurer admitted that she had made a mistake around \$50,000. He talked about having families and when something happens you keep it at home and work around it. You don't advertise it. This year there was another mistake made of around \$27,000 on a late filing fee. We did the same thing, tried to keep it in house, and work around it. That's what family does and that's the way this board operated this Town; whether it was the clerk, treasurer, board member, or road crew; if something happened and they needed our help, we gave it to them. If anyone is to blame, it is this board sitting here. Now we have been instructed by several attorneys that you don't do that in public office. Our treasurer was not taking her retirement, because she felt so bad about the mistake that she made. We did pay back her due retirement, because that was not right. He stated that he will not stand for anyone in the audience making any negative comments towards any elected official in office in this Township. If you can do better, come and do it. Previously Beth and I had a 20 minute conversation pertaining to the records that the 2 ladies just spoke of. We have taken steps that that will not happen again. We will be taking further steps to make sure that that will not happen. It is prosecutorial. M. Frisch said it correctly, even though it wasn't illegal, but Beth was the one that was in charge of the records. It is not pointing a finger at her, because these are policies that we as a board should have had up and in place. He wanted to make it clear that as a board it was a policy that was to be in place. There is no blame on whoever else was here. Some of the blame belongs to the board and some of it to other people. He had no other comments.

#### **Award Bid for Thompson Valley Road/Verification of Length Creek is Moved**

The bid was awarded to Hegg Contractors, Inc. for \$175,350, which was approved in the previous minutes. The other bid was for \$320,000 from A-1. It was sent to Ayres Associates to verify that everything was included. An error of \$20.00 was found, so the bid was off by that amount. I. Pronschinske stated that the amount of \$175,350 would be paid by the Town of Arcadia, but would be reinstated by Arcadia Sand. He explained the project. It will not cost the taxpayers any money. That money will come out of the revenue we collect from Arcadia Sand on a monthly basis.

#### **Bids for Mahutga Lane (LRIP)**

R. Tuschner stated that this is the third time we have used this program. Previously we used it for Boberg Lane and Blaze Lane, and now Mahutga Lane. He and I. Pronschinske explained the procedure for LRIP. There were 2 bids: Dunn Blacktop at \$72,228.10 and Trempealeau County Highway Department at \$84,000, but Trempealeau County was vague in the bidding process. At that bid opening no bids were accepted or denied. R. Tuschner contacted Trempealeau County Highway Department to re-bid with more specifics. The bid came back with a bid of \$71,100.00. He explained the procedure for opening bids and that Trempealeau County's bid must be 10% lower than the lowest bid if it was accepted. It was not 10% lower. A motion was made by I. Pronschinske and seconded by M. Chitko to accept the bid from Dunn Blacktop for \$72,228.10 for Mahutga Lane. He stated that the County does good work, but they wouldn't be able to lay the blacktop in one lane. There would be a seam in the middle of the road. Dunn Blacktop's machine is able to do the width in one pass and have one less seam to worry about. Discussion clarified specifics of the road. The motion was carried unanimously with a voice vote. The clerk was instructed to make copies and notify the contact at Dunn Blacktop. I. Pronschinske asked if Ayres Associates was going to supervise the Thompson Valley Road project. R. Tuschner explained the Ayres contract; that a Town Board Member or a road crew member was to be out there every day to keep track of the loads and that everything is being done correctly. This is being re-billed to our specifications, and they will be the project managers.

#### **Hiring of Engineers for Reconstruction of River Valley Road/Cross Road as per Superior Silica Sands**

R. Tuschner has a letter from September 7 from Sharon Masek. S. Masek introduced herself and Jim Sadowski, the project manager. She asked to proceed because the annexation was approved by Independence; they have broken ground; ponds are started; waterway is protected; want to go fast; have the road agreement and want to start on the road; explained the road agreement; traffic impact analysis is being worked on; and now need an engineer to begin. The contact person will be S. Masek. I. Pronschinske asked about the buildings and silos. S. Masek stated that they will be started and completed in 4-5 months. They want to get concrete down. This project will have 2.5 million tons per year. M. Chitko asked about River Valley and Cross Roads still being Town of Arcadia roads and how the costs will be handled. S. Masek stated that Superior Silica Sands will be responsible for the rebuilding initially. Discussion continued on the project, the specifications, bills and how to handle the bills. S. Masek wants the bills to be sent to them directly. This

will prevent any lag time in payment. A motion was made by I. Pronschinske and seconded by M. Chitko to hire Ayres Associates of Eau Claire as engineer for the River Valley project and to be the project managers. The motion was carried unanimously with a voice vote.

#### **Shop Phone/Maintenance Agreement with Provider**

B. Killian explained that the phone in the shop was not working again. Mr. Koop was going to come to fix it. It works and then doesn't work. She checked with CenturyLink; we do have the inside wire maintenance plan for \$4.25; the plan has increased to \$7.00 per month; Wyatt, the CenturyLink repair person, could fix the phone, but we would need a new phone; Mr. Koop did provide a different phone the last time he was here which we paid for; and we pay no rental fee for the phones. Discussion continued about the conjunction set up. We have 3 phones in the building plus the shop phone. The office phones work. It is just the shop phone. Elva Helwig explained how the phone system works and a new phone needs to be compatible. Ron Grulkowski talked about the phone situation in the shop. E. Helwig suggested having 2 lines and some reasons for 2 lines. Discussion continued on faxing and 3 lines. The clerk was instructed to check into additional lines and different options including wireless. R. Tuschner talked about bringing the office into the 21<sup>st</sup> century and updating our systems.

#### **Insurance Renewal**

R. Tuschner stated that last year we had 2 companies bidding on our insurance. He would like to see that again with the dollars we pay out. This will be on the next agenda. It will be a one-time shot. Discussion was held on the process to use for insurance bidding. R. Tuschner will check with the attorney on how this should be handled. Discussion continued on previous procedures. I. Pronschinske stated to set the guidelines and get the bids accordingly. Current provider is Westland, and it is time to begin looking at it. A special meeting should be set for just this topic; closed or open; and set an alternative date. December 1 is the renewal date.

#### **Policies and Benefit Handbook/Appoint Board Member**

Mike Wineski was the previous board member looking at the policies and benefit handbook updates. M. Chitko is looking at it now. This is where the policy on open records will be included. A motion was made by R. Tuschner and seconded by I. Pronschinske to appoint M. Chitko to finish that task. The motion was carried unanimously with a voice vote.

#### **Contingency Plan for Elections**

Discussion was held on having a contingency plan for emergencies on Election Day. This would include procedures for emergencies and alternative places to go if this building were not available. There are several samples from other towns and cities to look at. This should be completed before the November election. The board will get suggestions for other places to go. Again this is another task put on the office people above and beyond the normal duties.

#### **Set Date for Local Road Certification (WISLR)/Appoint Board Member**

The clerk explained what needed to be completed this year; certify the roads; and this needs completion by October 10. I. Pronschinske volunteered to complete this task. B. Killian mentioned the Losinski Lane extension. Discussion was held on the footage of the extension and the meeting on Losinski Lane.

#### **Pursue Prosecution**

R. Tuschner stated that this was finished at the beginning of the meeting under Comments. It is over and done with.

#### **Update on Dick and Patty Schank Project**

B. Killian gave the update. The permit is done. The barn is moved back so there is no need for a change in culverts and there will be no increase in drainage. I. Pronschinske stated that he will need a driveway permit. B. Killian will contact D. Schank on the driveway permit. I. Pronschinske will meet with D. Schank on it.

#### **Fire Department Budget**

According to I. Pronschinske the budget has increased by \$9,000. Last year our total budget was \$180,300. This year it is \$189,300. This is due to an increase in expenses: convention expenses, equipment/gear for the men for safety, foam to extinguish fires, air compressor for the air packs, operating costs, and training materials. These are all necessary things. M. Chitko wants to look at this further. The budget is based on the Town of Glencoe, City of Arcadia, and the Town of Arcadia. Mutual aid was discussed and the area covered. R. Tuschner stated that it is a lot of money, but when you need it they are there.

## **2014 Town and Village Workshops**

Discussion was held on the dates, topics, and cost of the workshops. R. Tuschner and M. Chitko will attend the September 16 workshop at Eau Claire and I. Pronschinske will contact the clerk on the date he will attend. I. Pronschinske stated that the \$15.00 video for board members should be ordered. There will be meetings in spring for new board members.

**Correspondence:** We received 2 copies from the Office of the Secretary of State on the annexation to the City of Independence. There is a notice of a public meeting with the Independence Fire District to look at a new fire truck. This notice will be sent to M. Wineski. There was an update on 2 road items: Amundson Lane and Howley Lane. There was a thank you from Deb Slaby thanking us for letting the Ambulance Service use the hall for their meeting. R. Tuschner spoke about 2 bridges. The State of Wisconsin will no longer go by the ratings from the engineers. The inspections are done and sent to the State of Wisconsin to do the numerical ranking. The first bridge discussed was on Burlington Road. This will be looked at tomorrow and some possible repairs were discussed. It will go from a 40 ton to a 20 ton without the repairs. The other bridge was on Walske River Valley Road, the first bridge. The State of Wisconsin may close the road. Discussion was held on the pilings, width, and span; this will also be looked at tomorrow. I. Pronschinske spoke about the inspections and the fees paid. There are other bridges in the County affected. Bridge inspections are done every 2 years. I. Pronschinske spoke about the rocks in the flag box at the last event. He had photos to verify the complaint. There have been over 2,000 flags deposited in the box since placement. Discussion was held about the rock problems and the reason for the flag box. E. Helwig spoke about talking to the renters, explaining the rules, and not watching the children. The Town is not responsible for accidents; the parents are. There are some people on the "black list". She explained how the contracts are completed and refunds. The renters know that if the rules are not followed, rocks or music, they are done and cannot rent again.

Discussion was held about the next meeting date and time. A motion was made by I. Pronschinske and seconded by M. Chitko to set the next regular Town of Arcadia Board meeting for Monday, September 22, 2014 at 7:00 p.m. Motion was carried unanimously with a voice vote. Agenda items are on a list in the office.

R. Tuschner adjourned the meeting at 8:40 p.m.

Respectfully submitted by,

Beth Killian  
Town of Arcadia Clerk