

# TOWN OF ARCADIA

Trempealeau County



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## Town of Arcadia Minutes of Special Town Board Meeting Thursday, March 19, 2015 at 7:00 p.m.

The board meeting was called to order by Chairman Ronald Tuschner at 7:02 p.m. Open meeting certifications were met. Also posted were the March 24, 2015 Trempealeau County Cities, Villages, Towns, Trempealeau County Board, and Environment and Land Use Committee Forum on Annexation to be held in Whitehall and the March 27, 2015 Wisconsin Towns Association 2015 District meeting in Eau Claire. Roll call was taken. Board members present: Chairman Ronald Tuschner and Supervisor Mike Chitko. Supervisor Ivan Pronschinske was absent. A list of residents that attended is available at the Town Hall Office.

Beth Killian led the pledge of allegiance.

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

A motion was made by R. Tuschner and seconded by M. Chitko to approve the minutes of March 2, 2015. The motion was carried unanimously with a voice vote.

At 7:05 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the March 19, 2015 agenda. R. Tuschner made the second and third call for public comments. There were no public comments. He then closed the public comments at 7:05 p.m.

At the request of Mayor John Kimmel the agenda was adjusted. He thanked the Board for making the adjustment.

### Update on the Well Head Protection Ordinance

Mayor Kimmel asked the Town of Arcadia to pass the ordinance and take it to the April annual meeting in support of the protection of the City of Arcadia water. The City of Arcadia will not site a well where land use is incompatible and requests that the Town of Arcadia not approve a land use that is incompatible with a City of Arcadia well. He spoke of the extra-territorial zoning area; stated that Richard and Patty Schank will be on the City of Arcadia's agenda; their current practices do not conflict with the prohibited uses; and if a future prohibitive use were to be requested, it would not be allowed.

Richard Schank had questions on zone A and zone B. Discussion was held on the footage of each zone; and animal waste, carcasses, and sludge. A motion was made by R. Tuschner and seconded by M. Chitko to accept the Well Head Protection Ordinance with the provision that a clarification is made on animal waste/manure; and that this ordinance is taken to the Town of Arcadia's annual meeting. J. Kimmel stated that this is not talking about fertilizing fields. R. Tuschner still wanted clarification. Roll call: R. Tuschner, yes and M. Chitko, yes. Motion was carried.

### Rossa Sand Mine/Canadian Silica Sands LLC Mine Conditional Use

Discussion was held on the conditions. The Town of Arcadia has an existing agreement for Joe Rossa Lane. That written agreement is on file and will still apply; no bonding was placed due to the small footage of the road.

At this time J. Kimmel returned to the meeting with the answer to the clarification of animal waste/manure. This has nothing to do with the spreading of manure. The problem would be with a storage facility or pit that may leak into the groundwater or an animal carcass.

Discussion continued on structures and wells and their inspection; the 2500 foot boundary; American Heights Lane residents and their distances from the permitted mine boundary. M. Chitko recommended American Heights Lane residents not be put in, but encourage those residents to go to the County and attend those meetings. B. Killian asked for clarification on re-inspection of wells and structures for those who declined previously. Yes, they will be given the opportunity to have an inspection and all previously inspected wells would have a re-inspection.

Discussion continued on the following conditions: mine reclamation which will state not to exceed 4 phases shall be open at any point in time and to exclude phase 1: phases 1A and 1B, and phase 2 (the processing area); existing perimeter tree canopy; air quality standards; notice on blasting: as an exception/amendment/addition to notify American Heights Lane property owners and signage on road; blasting plan; financial assurance; schedule on meeting with Town of Arcadia Board of Supervisors; undisturbed setbacks: to add, an undisturbed setback from property boundaries shall be maintained at a minimum of 50 feet in width, thereafter the reclaimed area shall have a minimum of a 3 to 1 slope; removing rocks and debris; back up alarms used will use strobe lights after dark per MSHA standard; trucks will be tarped; shielded lighting; initial training for emergency personnel; on-site monitoring wells: concerns by Jeff Bawek on the well and water draw down, the trout stream/Turton Creek, water flow from the drainage area from the creek, and hills and direction; 3 monitoring wells to be reported every 6 months for the first and second years and annually thereafter, quarterly foundation checks; and property value guarantees will also include American Heights Lane property owners.

New conditions added: air quality monitors will be required as per WDNR Chapter NR 415; spring protection and value protection agreements to be updated with property owners to include the expanded acreage under the permit at a cost to Canadian Silica Sands LLC; berm installations, in excess of County standard requirements, for neighboring property owners when mining nears the residences of Bawek, Klonecki, and Killian as per J. Bawek's letter; additional study to determine the adequacy of the Joe Rossa Lane entrance on to County Road T, and any improvements recommended by the study: Carl La Prairie talked about tree brushing and lowering of the ditches, and J. Bawek talked about removing some of the bank off of the hill by the horse corral (which was agreed to by C. La Prairie); study to determine the adequacy of the Shepherd Road entrance on to County Road T, and any improvements recommended by the study: an in depth discussion was held on this item and different possibilities (Pientok's garage and house, the creek, the curve, and the bridge with the drop off). R. Tuschner will contact both the Pientok family and Trempealeau County Highway Department. The final condition discussed: staging of trucks on County Road T is to be prohibited with citations if violated. The concluding paragraph will be included: the expectations that other conditions will be added and these conditions are to be in perpetuity to any future owners/operators.

Discussion was held about the blasting: closing the road for a brief period of time until blasting moves further into the site and having the sheriff available.

**Correspondence:**

B. Killian mentioned the update memo from Wade Britzuis on the multi-government annexation forum on March 24, 2015. The Town of Arcadia citizen representative needs to be appointed. Karen Geske is the only person that stated that she is interested in representing the Town of Arcadia. R. Tuschner stated that he, Mike, and Ivan will get back to B. Killian. He added that negative comments at that meeting be disallowed. M. Chitko will contact W. Britzuis and let him know of R. Tuschner's comment.

R. Tuschner adjourned the meeting at 8:27 p.m.

Respectfully submitted by,

Beth Killian  
Town of Arcadia Clerk