



Ronald Tuschner, Chairman (608) 323-3035

Ivan Pronschinske, Supervisor No. 2 (608) 323-7675

Mike Chitko, Supervisor No. 1 (608) 323-2414

Nancy Rohn, Town Treasurer (608) 323-7063

**Town of Arcadia
Minutes of Regular Board Meeting
Monday, March 2, 2015 at 6:30 p.m.**

The board meeting was called to order by Chairman Ronald Tuschner at 6:30 p.m. Open meeting certifications were met. Roll call was taken. Board members present: Chairman Ronald Tuschner and Supervisor Michael Chitko. Ivan Pronschinske was absent. The list of residents in attendance is included with the hard copy of the minutes in the office file.

R. Tuschner led the Pledge of Allegiance.

R. Tuschner stated that item 10 C (Well Head Protection Ordinance) would be removed from the agenda and that the order may change on items 10 A-J due to the time frames. A motion was made by R. Tuschner and seconded by M. Chitko to adopt the agenda as presented. The motion was carried unanimously with a voice vote.

A motion was made by M. Chitko and seconded by R. Tuschner to approve the minutes of February 4, 2015. The motion was carried unanimously with a voice vote. The minutes of the Regular Board meeting on February 23, 2015, the minutes of the Trempealeau County Cities, Villages, Towns, County Board, and Environment and Land Use Committee Forum on February 25, 2015, and the minutes of the Special Board meeting on February 26, 2015 will be approved at the next meeting.

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

At 6:35 p.m. R. Tuschner opened the floor to public comments for other topics that were not listed on the March 2, 2015 agenda. Darlene Rossa asked if the rumor was true that Nancy Rohn, who is running for clerk/treasurer, is keeping her job at Ashley and going to appoint the position to someone else for the clerk position. Transparency is always good and would like Nancy to answer the question if she could. Nancy Rohn stated that she sure could answer it. Yes, it is true, and she has asked for a deputy clerk. She has a couple of names. She has to have insurance. She stated that the deputy is going to keep hours during the day, and Nancy will be there in the afternoon and evening. They are going to cover more hours.

Joan Fetting commented on everyone having property rights (not referencing any specific mine) and respecting difficult decisions that have to be made on behalf of the residents that they represent. We, the people, put you in office and pay your salary, and we the people and our homes should be worthy of serious consideration in all mine proposals. Our environment is in jeopardy; our township has 11 out of the 24 mines in Trempealeau County; future generations should not have to live with the consequences of more mines, and our grandchildren and great-grandchildren should not have to. Mr. Tuschner suggested that we should go and visit the facility and it may take the fear out of our minds; we don't fear the facility; what we fear is what the mining is doing to our environment; sand companies have little stake in the communities, because they do not live here; we do; despite what the geologist told us that this will be a different mine, he does not live here. She spoke about the neighboring county, Buffalo County, and that it was we, the people, who turned out in big numbers at many meetings when they proposed the facility across from the C-F-C school; they moved over here; there is one sand mine in Buffalo County. She referenced the vote that Houston County would be taking the following day. The sand mine people are doing their jobs, but they do not live here; we do. M. Chitko referenced a previous phone call with Joan about people

being able to hear at the meetings. Discussion was held about having backs to the people and the microphone being on. B. Killian stated that she always turns it on. Someone must have turned it off.

Kay Pronschinske referenced the February 4, 2015 meeting and that at 8:05 p.m. during the well head protection ordinance Mr. Tuschner stated that every town and city wants to protect their water supply. All we want to do is protect water, our wells, and our property, but the property will be worth nothing if our well are contaminated or go dry.

Eva Anderson had concerns about the number of trucks. She spoke of her home office at the corner of Washington and Main Street and the current amount of traffic there; she gave examples. The other safety concern is the traffic on Main Street at the elementary school; walking home or to the rec center. She gave other examples of the months from April to October when she is traveling from the office to the park, the pool, and the concern for traffic on Washington Street. People avoid the 4 way stop and use the road past the swimming pool. She also commented on compromising the beauty that we see out our front window/door; property, water, air, or livelihood is compromised. Roads will be used more and lifestyles will change with all the traffic. Take that into consideration.

Luan Woychik stated that all of the Board members know that this is wrong for the families and businesses who live and work nearby; wrong to disturb the peace and beauty of one of the State's most beautiful parks; a slap in the face of the Wanek family and the City of Arcadia, and to the people that come here and walk in peace and joy. Sand mines are like others: gold, iron, land, or railroads that offer money and power, and all the good things. We are concerned about seeing our soil in Trempealeau County being shipped off and driven into the earth to shoot oil and gas out. There is something wrong with shipping our sand across the country and doing that. The only things fractured in our town are our townships, cities, families, friends, and neighbors who are fighting; we have never had that before; it is awful. The sand will still be here in 5 years if you need it.

Mark Backer recommended notification to extend to one mile for several reasons: part of the Plum Creek situation was them not receiving notice, applicants make the contacts not the town board, false information out there, town board is elected by the people to make decisions and to keep the public informed, health and quality of life are big decisions, governing bodies only give notice to adjacent properties, and being a good neighbor is what we all want and expect.

Kathy Lockington stated that it was nice to see everyone here. She asked if the Board had read the health impact study completely, the State of Minnesota's study, following Buffalo County and Houston County's resolutions to the sand mines. She spoke from experience of not using her deck much anymore due to the noise. A citizen group has been meeting with Mississippi Sands and the City Council on the problems with wells; the last meeting questioned who owned Mississippi Sands; who is involved because if someone developed silicosis they will need to go back to everyone involved as her brother-in-law did. She had her water tested at her expense and the company wanted to see her results. Concerning blasting, the sand does get into your well; if you are going to place a meter it should be at the bottom of the well, and she explained the reason why. She thanked everyone for showing up.

Linda Backer stated that at the last meeting the town board was debating the meaning of surrounding and asked constituents for their definitions; please adopt the one mile from the perimeter of the mine; it is the Board's responsibility to assure that it happens; Board members are elected by the residents of the Town of Arcadia to carry out the responsibility of keeping people and property safe; people need safe water to drink from uncontaminated aquifers; safe property includes functional wells, plumbing, and heating systems; and we are all depending on you to safeguard our health and property values.

Josh Grzadzielewski met with the geologist and Kerry Suchla and likes the way they are going about it. He is concerned because his child has asthma, leaves windows open, but is concerned about the dust and the effect on his children; can this wait 5 years to learn about these things; has a small house on County J, likes the location and easy access, but won't be able to bike on the road with all the trucks. Can you wait awhile, 5 years?

Tom Woychik has concerns about the heavily populated area for residences; effects of wells, safety; met with John and Kerry and not to look at 150 trucks a day because of the safety issues; other issues of blasting and effects on wells; 60 homes affected; if something happens to our water and we have to annex into the City, who pays for that expense, and what about the loss of tax base to the Town; look at that; put off for another 60 days for more study and what might happen; traffic concerns; and slow down to look at it. Thank you.

Mitch Thomas commented on the 60 property owners within a mile and the property values of over \$13,000,000. He talked about a study by an Auburn economics professor, Diane Hite, and the relationship between distance from mine operation and property sale price: properties adjacent experience up to a 30% reduction in sale price and property values at one mile are reduced 14.5%; loss of property values results from the negative consequences of the mining operation and reflects the deterioration in the area's quality of life; the negative impact on the property values along the truck routes used for the mine; decline in property values in the vicinity of a mine or haul routes. He contacted 3 real estate agents up north in Barron County to see what their experience has been. All 3 said unequivocally that property values will definitely go down. One said it will be hard to sell a home in close proximity to a mine or haul route and does not work out in favor of the seller. If you can see the mine, hear it, see the lights, or are on a truck route, it will definitely have a negative effect on your property. Also the realtor had to charge a higher commission on listings close to a mine because of his own exposure. Buyers are suing real estate agents who don't disclose the proximity to mines. Foreclosures will have trouble selling. Pepin County board passed an ordinance banning frac sand facilities along the Great River Road citing potential drops in property values. Consider the enjoyment factor; he commented on the amenities that we enjoy; and to not diminish the simple things we hold

dear about our homes. He also referenced health concerns with air and water. In closing, in the letter to the residents of the Town of Arcadia, one of the Board members stated that when decisions are made, it has always been made for the betterment of the ENTIRE township and community. I hope that's what you do in this instance. Thank you.

Joyce Woychik expressed her concern regarding the bike traffic and tourism; commented on the right to do what you want to with your land, but when it affects or hurts others you don't want to act that way toward neighbors; slow down; what will happen in 5 years; and wanted to commend the supervisors, because the atmosphere tonight is more conducive to the audience.

Kay Pronschinske presented copies of properties within a ½ mile and 1 mile, and presented copies of a petition.

Andrew Schultz spoke on behalf of cross county track; a favorite route was on Middle Road and County J; continued on other routes that were used by the students and cannot be used anymore; safe routes; and increased truck traffic would make it too dangerous.

R. Tuschner made the second and third call for comments. There were none. He then closed the public comment and suggestions portion of the meeting at 7:06 p.m.

High Country Sands LLC Mine Formal Presentation

Bruce Brovold, Town of Arcadia Attorney, took over the meeting as moderator. He explained the purpose of the public hearing: 1) to hear information from High Country, the applicant, 2) the opportunity to ask questions with no limit on the number of questions to High Country Sands LLC, 3) make a presentation in the form of a letter or petition, but you can only speak once, and 4) High Country Sands LLC will have a final response. Then the board meeting will proceed. Remember politeness and to hold any applause.

Randy Spangler introduced himself and then introduced Al Scheer from Davy Engineering, who works with the City of Arcadia, since there were so many questions about water at the last meeting. A. Scheer gave some background on himself and then began discussing in detail the 3 aquifers: the shallow unconfined with no pressure, most susceptible to contamination, confined to the river valley; the unconfined sandstone where most wells are located, depends on the distance from the base flow and the strata graphic column; and the confined Mount Simon, artesian, recharges from Black River Falls, the Eau Claire formations lie on top of the Mount Simon. He showed examples. The only risk of contamination for Mount Simon is when there is penetration through the Eau Claire formation or through an abandoned or forgotten well. The greatest risk of contamination is with the shallow unconfined and secondly with the unconfined sandstone. A deviation from the agenda was made to allow for questions for A. Scheer. R. Tuschner asked for the deep wells for the sand mines. A. Scheer answered in the Mount Simon and explained the risks including the casings. Dick Schank asked if the high capacity wells are always in the Mount Simon and the location of the City of Arcadia wells. A. Scheer stated no it could also be in the Wonewoc; the 4 production wells, one will be abandoned; the other 3 are in Mount Simon. A. Schultz asked about Turton Creek and Myers Valley Creek. S. Scheer wasn't sure. A. Schultz expressed concern about the Myers Valley Creek and contamination due to High Country Sands Mine. A. Scheer stated that the well would be in the Wonewoc layer. Discussion continued on the contamination and flow to the Trempealeau River, water table level, and breach of ponds. Scott Leonard asked about the penetration of the Eau Claire cap to the Mount Simon and the risk if it is not done correctly. A. Scheer stated that the DNR oversees the well completions and sets the standards; and a DNR representative will be on site. Discussion continued on possible contamination. M. Backer asked about the well casing, how long they last, and the fix. A. Scheer gave an estimated guess of 100 years and the risk would be rust. He explained how wells are constructed. M. Backer questioned blasting and the effect on wells. A. Scheer stated that there are little studies done on blast effects on wells and he explained some of the studies done, no studies done in this area, and is an area of research that needs to be done; suggests there is little impact; and most stories are anecdotal. John Jasin asked for references to confirm the information presented. A. Scheer stated to look at a topographical map and find the Trempealeau River as the base elevation; referenced the Trempealeau County report and the section on blasting and not enough scientific evidence; and talked about "sanders" in the Wonewoc water wells. Darlene Rossa asked about blasting and gravel pits. A. Scheer stated that the same rules apply; seismographs are used. Jon Schultz referenced the eminent domain situation and the drilling of a new well might risk contamination. A. Scheer stated that they would have to drill to the Mount Simon and there is a slight risk to contaminate the Mount Simon with the chlorinated solvent. M. Chitko asked about the difference between the mine high capacity well and the City well. A. Scheer stated that they will be similar, but the mines will not pump as much water as the City; volumes of water are reported to the DNR. John Dustman explained the amount of water the mine would use. A. Scheer gave an example of well #5 and the monitoring wells; when the well is cased in the top of the Mount Simon there will be no impact on the drawdown of private wells, if done correctly. M. Chitko asked about the post mining reclamation and the amount of sand taken out. A. Scheer stated that the buffer is 10 feet above the water table, there are restrictions by formations, won't be in the Eau Claire formation since it is shale. Discussion continued on completion of mining and the future, less filter and its effects and depends on land use following reclamation; susceptibility of the shallow unconfined and consolidated, the Eau Claire, and drinking of the water; nitrates and contamination.

J. Dustman gave the formal presentation: reviewed the map of the water layers; moving the processing area; phases and reclamation; no settling ponds/clarifier/drainage pond; possible use of wastewater from the City of Arcadia; wells in the area/graphic/well log/well construction/groundwater contamination; explained the pressure; protected; "sanders"; Trempealeau County regulations; direction of water flow; water usage; 7 reasons High Country Sands is different than most other mines; sand

particles/silicosis/fractured particles/no risk; air quality monitoring; food grade flocculants to be used; and no chance to deplete the aquifer.

Discussion continued on the clarifying tank; no chemicals used in washing; testing; stockpile of sand; sizes of sand; exposure of fractured silica like asbestos and lack of scientific evidence in the natural state; quarries with blasting and the dust plume; difference in blasting of quarries versus sand; wash site in a watershed area/DNR approval; groundwater remains on site; ongoing reclamation/rolling/12acres; demand for sand/customers; route to Winona; bonding; groundwater monitoring; minimal blasting.

Brian LaRucz spoke on blasting: gave his 23 year history on blasting in the area. Discussion and explanation were held on the misfire with Arcadia Sands; frequency and scale of blasting; seismographs and human perception; and sound of blasting.

J. Dustman explained how the aquifers work; flowing wells; and no depletion of water.

Mark Geske asked about blasting and damage to basements. The answer was no. Discussion continued on the distance and not feeling the blasting; depending on the depth of the hole, cinder block foundations, and cracked basements. Ann Stirn asked about acrylamides. J. Dustman gave the standards. There is a test for residual acrylamides, but no test for polyacrylamides. A. Stirn stated that a fact sheet came out from the EPA government and the level is set at zero. Discussion continued on the detectable limit; ground water and the 10 feet; no pathway to enter the shallow water; it would end up in the Trempealeau River; phosphorus; mining within 10 feet of the groundwater; average is 40 feet; 30 feet of sand with no organics and no affinity to filter water. K. Pronschinske asked if protection plans have been set in place or will be put in place. R. Spangler stated that yes, if there is an issue with a well, and it has been determined that has been caused by blasting; they will stand behind that. Discussion continued on the legitimate concern and the process. K. Lockington asked if a committee would be set up and where complaints should be registered. R. Spangler was not aware of a committee; he would look at doing something like that. S. Leonard asked if they were willing to bond for replacement of wells since he has no problems at this time; need a guarantee if there are problems. Discussion continued on testing every year, responsibility, proof and verification.

Flocculants were discussed next. Troy Zickert explained how to re-use water and a clarifier using polymers; used for potable water; gave examples of items that use polymers with the NSF certifications. R. Tuschner asked about the waste water plant. T. Zickert talked about those used and the process. Donna Brogan asked about long term studies on the soil. T. Zickert stated that there are multiple and gave examples; polyacrylamides are too large to pass through the cell walls; misinformation; wouldn't ingest it; documents on soil migration. Ross Patzner asked about the Guza Mine contamination and the chemicals. T. Zickert explained that they were within the legal operating parameters, and he was disturbed to see toxic chemicals in the pond; they were non-toxic chemicals; under the impression they were within the operating parameters. R. Spangler explained the Guza Mine situation. M. Backer asked about the clumps of particles. T. Zickert explained how it worked and the reclaiming of the water; use of polymers and amounts used.

At 9:42 B. Brovold opened the part of the public hearing for statements. S. Leonard asked about the current opened mine and its closing; he is not for the project and his concerns are for his well and valuation of his property; area of 60 wells; different than rural areas, close to City and all of them; amount of taxes paid; loss of revenue if annexation is required because of the water; proving what caused the well problems; be good neighbors to support them and protect the wells; and it's more than sand and money.

K. Pronschinske commented on K. Suchla and his concern for neighbors, no one can tell me what I can do, and this project will be done; trying to protect our property; who benefits from the project; and something could happen.

K. Suchla has reached out with sincerity; not trying to impact in a negative way; going through all options; referenced being diversified; not letting neighbors dictate what he does on his property as long as he is doing it right and is held accountable, but wants support; wants to keep in township; apologized for whatever he has done wrong, bringing the right people, the right reasons, answering questions, disclosure, and transparency; continue to be a neighbor and need their support; not a big project; looked out for everyone's interests; if a no here, he will look at annexation; his right and opportunity; referenced previous meetings; phase one is to get the sand out and phase two is to develop it; and appreciate everyone coming and wants the facts out.

L. Woychik asked if they would guarantee that they will not sell out. R. Spangler projected that the mine would be 15 years and that he can't guarantee that he will be running it.

Dave Hesch stated that he has lived here for 40 years; permitted the first 4 sand mines in Trempealeau County; permitted for the landowners (Soppa, Guza, Suchla, and Patzner, not Hesch); he is a contractor; his help is local; hires local trucks; buy fuel local; neighbors and friends make a living from this; trucking year round; Kerry has bent over backwards; hypothetical situations out there, wells will fail, need statistics/proof; current sand pits are ½ closed and will be finished in spring; gave examples of restrictions on sand mines versus farmers; treat everyone equally, fairly, and follow the same rules; accusations of land values going down, gave his personal situation; selling houses and values; septic tanks, chicken coops, and these will affect values; he will make money also; trucking is a big issue, trucks mixed in with others, complaints of sand/dust, jake brakes, farmer hauling chicken manure, situations that arose when he was working on the Patzner mine; and he wanted to make the record clear. Mistakes are made, but not done on purpose.

Becky Thomas asked if property value guarantees would be provided. She referenced information from studies and realtors and a decrease of 15%. R. Spangler asked for a chance to look at it; and they will look at it.

R. Spangler closed with thanking everyone for coming; they are listening to their concerns; and will try to make adjustments.

The public hearing ended at 10:11 p.m. A 5 minute break was taken. The board moved back into session at 10:24 p.m.

Petition for Direct Annexation by Unanimous Approval

Kyle Taysom explained the 6.7 acres by Reit Lane and Fairfield by the high school that they are requesting to be annexed. Discussion was held: the City wants to put a street to access the water tower; the City will probably complete the road this summer; the 16 city lots will be single family residential; the map was referenced; the owners are Dave and Tami Taysom; and it's good plan for the community. A motion was made by R. Tuschner and seconded by M. Chitko to approve the petition by direct annexation by the Town Board. The City will put in the curb and gutter. The motion was carried unanimously with a voice vote.

City of Arcadia and Green Alliance Holdings Corporation Redevelopment Agreement

This was sent by email to Tuschner and Chitko with a hard copy provided to Pronschinske. This will take time to go through, so this item will be moved to the next agenda.

Update on Manure Spill on Jaszewski Lane

R. Tuschner stated that he thought we would be reimbursed from the DNR as previously. We have been told no funds, so whatever was spent on clean-up, approximately \$2000 would have to be eaten by the Town of Arcadia and let this go.

Approve Hall Rental for a Fitness Camp to be held from March 9 to April 1

B. Killian explained that Amy Britten called about holding a fitness camp, open to the public, no charge to be held indoors for this time period before it could move outdoors. This would be rented for the non-profit fee of \$15.00 for the month time period. A motion was made by R. Tuschner and seconded by M. Chitko to approve the hall rental for a fitness camp. The motion was carried unanimously with a voice vote.

R. Tuschner mentioned the email under correspondence from Linda Gardiner on County Wide Assessment. The Towns Association does not like it, because we lose local control. We want to keep our own assessor, because he knows our people, the buildings, and has everything on computer. It is not a person sitting somewhere else. Emails were sent out to our members on this.

Our next board meeting is March 10 at 7:00 p.m., a special meeting. The next regular board meeting will be March 16, 2015 at 7:00 p.m. FOTH/Canadian Silica is for the initial appearance, for an amendment to the sand mine to include the rest of the property, additional notification was given, the 10th; they have requested the second meeting on March 12 at 7:00 p.m.; and another request for March 18th. B. Killian checked the calendar and the Legion is having a district meeting on March 12, which was scheduled last month. A motion was made by M. Chitko and seconded by R. Tuschner to set the next regular board meeting for March 16, 2015 at 7:00 p.m. The motion was carried unanimously with a voice vote. Another special meeting has been requested for March 18th for FOTH/Rossa Sand Mine. R. Tuschner will contact them on the meeting dates. Al Woychik asked, why all the meetings in one month, can't you put them together. R. Tuschner stated that they could be put together if you want to stay here longer at night. He doesn't mind staying here until 11:00 or 12:00 if you want to stay here. He doesn't like the extra meetings either, but there are things that have to get done and do you want to stay here longer, he is asking. A. Woychik stated that we don't get paid to come to meetings. R. Tuschner responded that we don't get paid much either. The intent is to do the business at hand. A motion was made by R. Tuschner and seconded by M. Chitko to have a special meeting for the Rossa Sand Mine on March 18, 2015 at 7:00 p.m. The motion was carried unanimously with a voice vote.

Set Date for Spring Clean Up

A motion was made by M. Chitko and seconded by R. Tuschner to set the spring clean up date for May 9, Saturday, from 8:00 a.m. until noon. The motion was carried unanimously with a voice vote.

Update on Hiring of an Auditor

This will be on the next agenda.

Policy and Procedures for Non-Metallic Sand Mines (Amendment)

This will be on the next agenda.

At 10:48 p.m. the meeting went back to the discussion on **High Country Sands LLC Formal Presentation.**

Discussion was held: M. Chitko asked for the number of mines that R. Spangler had in Trempealeau County. R. Spangler responded with 2, the Guza and Kraemer plant on Whistler Pass. M. Chitko asked if the Suchla/Bagniewski mine was raw extraction. R. Spangler responded with extraction and washing operation, hours of operation would follow the County ordinance, no nighttime

processing, noise would be equipment excavating, and electric and no generators. M. Chitko asked for a description of the process. R. Spangler described: moving soil; grading for the wash plant; building the wash plant (45-60 days); electricity; dig out raw, put in bins, conveyors, wet screens and washing; process the fine sand and coarse drops out (slurry); eliminates impurities through an attrition scrubber; sand screw (augers) rinse; dewatering screen; rinse again; measure the color of the water; 10% moisture; stacker on pile and dewater to 3-4%; water goes to a holding pond to be reused; use approximately 200-250 gallons a minute in a 10 hour day; most is recaptured; circulates 4000 gallons per minute. R. Tuschner asked for the percentage of recaptured water. J. Dustman stated about 95% is recycled. Discussion continued on electricity, Riverland Energy installing a new substation, power is on Middle Road, using poles and underground; no use of Middle Road except for workers; County Road J, will be meeting with the highway commissioner, R. Tuschner spoke to the highway commissioner about the formula they use. Discussion continued on the numbers of trucks, 15 year project, 13 million tons, depends on markets, 11 million tons of usable sand, 5 days with 150/300 trucks per day, exploring going County J to town and empty returns through Dodge; uses of sand; length of time for R. Spangler/High Country remaining, can't guarantee, because companies that buy the sand are bigger companies, their investors require that they control the assets/reserves as part of the contracts to supply them the sand, so the investors won't invest in a project if they are not in control of the reserves, what we've done in other locations is to negotiate the washing contract for that, we take care of the washing management, and they have the reserves, it is still operated under the same conditional use permit and the bonding is the same, basically everything is the same. R. Tuschner discussed is personal example with turkeys. M. Chitko asked if there is sand next door and is a target for a larger investment group to come in like the Guza Sand Mine. R. Spangler stated no, because of the hills rolling fast; this is the classic reason to close the other mine, the overburden; referenced Buffalo White Sands and Maiden Rock and their process. M. Chitko stated that he doesn't want another Guza Mine scenario, not having any control over it, this is a big concern for him, and is worried about next door. R. Spangler stated that it would need to be re-permitted and start over. R. Tuschner questioned the blasting effects: water pot ability, spring/well, test all wells/sources of water, what kinds of test will be used. R. Spangler stated they would be using Trempealeau County's revised ordinance. Discussion continued on baselines, comprehensive test; blasting baseline; signing off on letting them in; engineers look at situations; well water, foundation, and property value guarantees: R. Spangler would like time to research property value guarantees, well guarantees willing to stand behind that if they cause it, distances, sentinel approach, dictated by County and DNR, the law, procedure to follow and confidence with baseline and consistency, looking at age, depth, casing, using experience/opinions, gave personal experiences. M. Chitko questioned Kerry on the previous mine and reclamation. K. Suchla explained the process which will take place this spring and gave the history; wants to farm it; take 3 weeks to finish closing it. R. Tuschner asked about truck traffic on County J, Washington, 95, to 93 and south to Winona; traffic passed the school, park, and aqua center; and safety/traffic problems. Duane Suchla stated that the speed limit would be 25 mph by the park. Discussion continued: few accidents on Main Street and Washington Street; lights have improved things; 6-11,000 vehicles per day and the heavy load; school downtown, traffic, and the hours of school in the morning and afternoon; inherited the problem; no relief roads; history of County Road J; frequency of truck, trains, and barges will dictate the number of trucks; and a letter from the Arcadia police department. R. Spangler will abide and have their policy. R. Tuschner referenced County A and 95/93 east from the City, understands truck traffic concerns and asthma concern; problems/complaints with truck traffic through residential going within the speed and no Jake brakes; and taxes on open areas and equipment. Darlene Rossa explained open mining and their \$8000 per acre on the 40 acre increment, 7-8 times more than previously assessed. R. Tuschner asked about the area of the sand mine, distance from development to the water treatment plant, Konkell building, pallet factory, Schank chicken coop, Suchla, Kujak, Ocean Nutrition, and Ashley Furniture. M. Chitko asked about reclamation plans. Kerry plans: industrial park and further up the valley residential, but this could change; they are committing to phase 2. J. Dustman gave the footage from Tom Woychik's house to the areas requested by R. Tuschner. Discussion continued: distance to Backer residence and all but 2 are within ¾ mile of the border ; estimation of transfer by air of particles, only dust will come from gravel roads, haul roads, none from sand processing; roads have to be watered; no sand or dust on County Road J; security: gated and locked, signed for no trespassing, no MSHA for fencing; first 5 years difficult to see mining; timeframe: 60 days to get plant running, road, grading, water right, (engineering); water used from wastewater treatment plant and re-using it, saving 10%, save 100,000-150,000 gallons per day, gain water, improve water quality in Myers Valley Creek, because there won't be the run-off; setting up a committee, citizenry committee, for complaints (R. Spangler is open it it), remains in Town versus going into the City, complaints and who to contact, putting into the CUP. R. Tuschner asked about water: wells, a problem, and how can this be rectified, complaints will try to figure it out, and using a third independent, non-biased party. M. Chitko asked for clarification on the procedure. B. Killian stated the 3 options that B. Brovold stated could be used. R. Tuschner was willing to say yea or nay. M. Chitko summed up: going to the County anyway with our conditions or without our conditions. B. Killian interjected that the County conditions are much the same as our conditions and asked for someone to make a motion as it is getting late. M. Chitko stated that there is a lot of detail work to be done; we can sit here all night long and work through all those details before we even take a vote, before we all feel comfortable, feel good about taking a vote, but they are going to the County anyway. B. Killian stated that it is a matter of making a motion that says you have an objection to the sand mine, we do not have an objection to the sand mine, or basically we are remaining neutral; you have 3 choices. M. Chitko stated that this is tough; it is his first sand mine; it is not a bad looking project, no relief roads, going down Main Street is a stumbling block for him, run the empty trucks back through the back side of J helps, but you are putting in another set of trucks on Main

Street, bright side is not running 5 ½ days, it could be 4 days; day of 150 trucks, 75 trucks, you don't know, go to the County and get a permit for the max; brought up home values, drinking water and the fear, and the threat of annexation, more discussion on annexation. R. Tuschner stated that if it keeps annexing; he fears that the State will come in, and we want local control. M. Chitko stated to look at the mess with the Guza Mine, Town having no control, and looking forward 4-5 years. R. Tuschner stated that we are between a rock and a hard place. M. Chitko stated he was already there and made a motion to take a vote. R. Tuschner stated that this isn't necessary. A motion was made by R. Tuschner and seconded by M. Chitko to accept the mine and do the CUP's. Discussion on the motion: at the time we do the CUP's we work out the details on property value guarantees, well water and foundation safety, everything, so they go to the County with our list of conditions. Roll call vote: R. Tuschner, yes; M. Chitko, yes. Motion carried.

B. Killian mentioned that we received the letter from the Wisconsin Department of Administration on Larry's Development, and it is official. Wednesday, March 11 at 9:00 a.m. is the public hearing for the Bagniewski greenhouse at the Environment and Land Use Committee in Whitehall.

R. Tuschner adjourned the meeting at 12:26 a.m.

Respectfully submitted by,

Beth Killian, Town of Arcadia Clerk