

TOWN OF DOVRE

TOWN BOARD MEETING

The Dovre Town Board met at 6:00 p.m. on June 10, 2014 at the Dovre Town Hall located at 304 25 ½ Street to review and work on driveway applications and road Inspections, as needed. The Regular Monthly Town Board Meeting for the Town of Dovre convened at 7:00 p.m. on Tuesday, June 10, 2014, at the Dovre Town Hall. Twenty (20) Town of Dovre Residents and Guests were present. Names of persons present at the meeting are on file with the Clerk/Treasurer. Patrolman, Art Harelstad, Jr was present.

Supervisor Tim Nelson called the Meeting to order at 7:00 p.m. in the absence of Chairman Trowbridge. Roll Call - Supervisors Present – Tim Nelson – Dan North - James Plummer – Mitch Hanson - Chairman Dean Trowbridge – Absent. Clerk/Treasurer – Linda K. Reinolt Present.

Agenda – Supervisor Tim Nelson presented the Agenda stating a change in the Agenda with adding Chieftain Sand and Proppant Barron, LLC at the end of Old Business and Appraisal Report Requirements RE: PVG Properties. Motion by North, seconded by Plummer to approve the Agenda with the changes as presented by Supervisor Tim Nelson. No further Discussion, Motion Carried, Unanimous Yes Vote.

Minutes of the May 6, May 27, May 30, June 3 and June 5, 2014 Town Board Meetings and Informational Town Meeting, the Financial Statement, Detailed Receipts & Disbursements and Reconciliation of Bank Statement Report as of May 31, 2014 were presented to the Town Board in typewritten form.

Motion by Plummer, seconded by North to approve the Minutes from the May 6, 2014 Town Board Meeting. Supervisor North stated that the Fireproof File Cabinet has not been purchased yet. No discussion. Motion Carried. Unanimous Yes Vote.

Motion by North, seconded by Plummer to approve the Minutes from the May 27, 2014 Meeting to open Sealed Gravel Bids for the LRIP Road Project on 3 ½ Avenue from 29th Street to 30th Street. No Discussion. Motion Carried. Unanimous Yes Vote. Supervisor North thanked Cathy Albrecht for taking and recording the Minutes, because the Clerk/Treasurer was ill.

Motion by North, seconded by Hanson to approve the Minutes from the May 27, 2014 Informational New Town Hall Meeting. No Discussion. Motion Carried. Unanimous Yes Vote.

Motion by Plummer, seconded by North to approve the Minutes from the June 3, 2014 Sioux Creek Silica LLC Operations Agreement Meeting, Supervisor Plummer asked for the definition of “Material Breach”. Greg LaFond provided an explanation and stated that Attorney Thiel and Sioux Creek Silica’s Attorney agreed on the definition. No Further Discussion, Motion Carried. Unanimous Yes Vote.

Motion by North, seconded by Hanson to approve the Minutes from the June 5, 2014 Town Board Meeting with regard to specific Items in the Operations Agreement with Sioux Creek Silica LLC. The 5 Items identified have been met. Motion Carried. Unanimous Yes Vote.

Motion by North, seconded by Plummer to Approve the Financial Statement Reports as of May 31, 2014. No Discussion, Motion carried. Unanimous Yes Vote.

Motion by Plummer seconded by Hanson to approve the Reconciliation Report from the May 31, 2014 Bank Statement from Security Bank of New Auburn. No further Discussion, Motion Carried, Unanimous Yes Vote.

Motion by North, seconded by Plummer to hold the next Town Board Meeting on June 24, 2014. Board members feel they should have Town Board Meetings 2 times per month. The next Town Board Meeting will be on Tuesday, July 8, 2014 at the Dovre Town Hall. Both Town Board Meetings will begin at 7:00 p.m. The Town Board will meet at 6:00 p.m. to review requested driveway permits and/or inspect roads. No Discussion. Motion Carried. Unanimous Yes Vote.

Public Comment-15 Minutes–3 Minutes per person. **Residents:** Mark Ziperski asked for clarification on Dates with regard to how long Property Value Guarantee is in effect. Original Sand Co. Operators Agreement – 5 years from 12/19/2012, being 12/19/2017. Town of Dovre’s March PVG Resolution, Re-adopted on May 6, 2014 – 90 days from May 6, 2014 adoption to file Statement of Intent to be part of PVG Program is August 6, 2014, is in effect for 3 ½ Years and this covers ½ Mile. Great Northern Sand’s Property Value Guarantee covers ¼ Mile, Border to Border and has specific properties named that are eligible. Would expansion of GNSand Mine make Ziperski’s and other properties eligible? At this point the Ziperski property would be covered under the Town of Dovre PVG Resolution and not GNSand LLC. Town of Dovre Board will be meeting with GNSand LLC to clarify issues and work on modification and amending the current GNSand Operators Agreement. Time

Frame – Do not know. Question, if land owner has property up for sale is it covered by PVGuarantee until time set in Resolution and/or Operators Agreement? Property can be put on market and if does not sell can be put back on the market until time in PVG and/or Operators Agreement. Whose responsibility is it to let land owners know when a Sand Company expands, if their property is eligible for the coverage? The Town Board does not want any Dovre Resident to be undermined by a Sand Company.

Julie LeMoine – Very concerned about the Run Off from Great Northern Sand LLC's holding pond into creek across 2nd Avenue from the Mine Property. She sent pictures to DNR. It is troubling to see this murky mess and is keeping an eye on it. She had a conversation with Aaron Kent from Great Northern Sand LLC and felt better about the situation after their conversation with regard to what corrective measures GNSand LLC are taking. Nancy Manke - Times have changed, but she does not want to see the Town of Dovre lose the charm of the Town with the sand mines. She encourages and hopes the Town Board will keep an eye on the Township and the changes. Cathy Albrecht - Errors were made. Intent of Sand Companies was ¼ Mile. Both Sand Companies profess to be "Good Neighbors". Why was there secrecy with the initial information? Supervisor Plummer - This Board does not know the answer to this at this time.

Bob LeMoine - If property is up for sale and the PVGuarantee Resolution end date comes, can the Resolution be extended? Board Member – If property is up for sale prior to the end date – it would still qualify for the Town Property Value Guarantee.

Land Owners – No Comments

Guests – No Comments

Citizens Connected: Representative from Citizens Connect not able to be at this Meeting. Table until June 24th Town Board Meeting. The Security System in the Town Shop is now handled by Citizens Connect. Clerk/Treasurer stated a billing from Mosaic had been received for monitoring the Security System. Clerk/Treasurer instructed to contact Mosaic to cancel the Monitoring System through Mosaic.

Building Permit Fees & Ordinance 2014-6: Motion by Plummer, seconded by North to adopt Town of Dovre Ordinance 2014-6 - "An Ordinance for the adoption of the Wisconsin Uniform Dwelling Code and Wisconsin Enrolled Building Code" No Discussion, Motion Carried with a Unanimous Yes Vote.

Employee Grievance Procedures: Motion by Nelson, 2nd by Hanson to approve Employee Grievance Procedure for the Town of Dovre, with Mr. Brian Henning as the 'Hearing Officer' and the fees of the impartial hearing officer will be \$150.00. Motion Carried with a Unanimous Yes Vote.

Patrolman's Contract: Motion by Plummer seconded by Hanson, to approve the updated Patrolman's "Job Description – General Requirements and Contract". No Discussion, Motion Carried with a Unanimous Yes Vote.

Northern Industrial Sands: Mr. David Arndt – Representing Northern Industrial Sands and Bruce Markgren – Cooper Engineering. Looked for Non Metallic Construction Permit, but there are no forms available. Northern Industrial Sands would like to begin grading process at their Trans Load Site. The Reclamation Plan NR135 Public Hearing is scheduled for July 2, 2014 at the Barron County Government Center. Greg LaFond feels the Town of Dovre Board can approve this Grading Permit Request subject to an Ordinance/Resolution in place with the Town and Northern Industrial Sands by August 31, 2014. The NR135 Reclamation Plan Approval in the Town of Dovre's possession by July 31, 2014. The Ordinance/Resolution must be in place before Northern Industrial Sands put out Bids to Contractors. LaFond will have an Agreement drawn up by June 17, 2014 and it would be Subject to approval by Email to allow them to start the grading process. Supervisor Plummer – Concern about what roads will be used. Not dragging feet, there is not a path to follow. He came with instructions from Chairman, told today, "don't do anything with it". I, Plummer have no agreements with Northern Industrial Sands and am not in favor of giving them the OK. Do not want to lose the loss of local control. Problems continue and are difficult. We need a break. Plummer – What Town Roads would they be using to bring equipment in at this time? They will bring equipment on HWY SS and go off SS across Rail Road Tracks onto their property. LaFond stated the Town Board needs to sit down in Closed Session to discuss the Agreements (Ordinance/Resolution) to be drawn up with Northern Industrial Sands.

Motion by Nelson, seconded by North to approve a Grading Permit Agreement, to be drawn up by Greg LaFond and the Agreement will not begin until there is Approval by both parties by Email. No further discussion. Motion Carried with a Unanimous Yes Vote.

Road Projects for 2014: Patrolman Harelstad met with the Barron County Highway Commissioner with regard to Barron/Dunn Avenue Road Project. Barron County will provide the proper paper work for the Town of Dovre to sign and send to the DNR for approval to receive the needed permits to begin the road project. Two (2) Checks in the amount of \$235.00 from the Town of Dovre to the DNR for the Permit(s) will need to be sent with the paper work to the DNR. It will take 2 to 3 weeks for the paper work and permits to be processed. The Rail Road will be improving the crossings on 6th Avenue and 4 ½ Avenue between July 6 – 12, 2014. Barron County will redo the blacktop at the crossings. 3 ½ Avenue project from 29th Street to 30th Street is on hold because of the excessive amount of water in the ditches and on the road. 4 Culverts have been replaced on 29th Street,

south of 3 ½ Avenue. Washout on 5 ½ Avenue. There have been 5 different locations where rock has been added because of washouts. A Thank You to Al Albrecht for work on Saturday with the road problems while Art was on vacation.

A Notice for Sealed Bids will be put in the Chetek Alert to Seal Coat approximately 1 ½ Mile of road from 25 ½ Street West To 24th Street (1 ½ Ave). Sealed Bids will be opened at the July 8, 2014 Town Board Meeting.

Eagle Point ATV Club Ordinance: No one from Eagle Point ATV Club present. Table until July 8, 2014 Meeting.

Road Bans and Implements of Husbandry: There is a comprehensive article in the WI Towns Association monthly publication. This will take effect January 1, 2015. WI Towns will be providing training sessions in the Future.

Morgan Parmely, Ltd. Consulting Firm: No one present from Consulting Firm. Motion by North, seconded by Hanson to approve Morgan Parmely, Ltd. Consulting Firm for their Professionally Design Services for the proposed Dovre Town Hall, per letter from Zechariah L. Gotham, P.E. with Morgan Parmley, Ltd. Roll Call Vote – Nelson – Yes; North – Yes; Hanson-Yes; Plummer – Abstained; Trowbridge – Absent. Motion Carried by Roll Call Vote or Dovre Town Board.

Greg LaFond – Consultation Contract and Fees – Possible Action: Table until June 24, 2014 Board Meeting.

Chieftain Sand and Proppant Barron LLC: RE: Anderson Mine – Town Board set conditions for Chieftain with regard to re-opening the Anderson Mine at the May 6, 2014 Town Board Meeting. Jason Hanson, representing Chieftain Sand presented a Letter from Vic Serri, Chief Operations Officer for Chieftain Sand and Proppant, LLC stating Chieftain has reviewed and agrees to the comply with the conditions set by the Town Board of the Town of Dovre. Supervisor Tim Nelson read the letter aloud. The Town Board wants Attorney Thiel to review this letter and provide an opinion to the Town Board.

Motion by Plummer, seconded by North, contingent on Attorney Thiel's approval, to approve moving forward with the Anderson Mine, but no sand hauling until final approval is received from Attorney Thiel. Motion Carried with Unanimous Yes Vote.

Sioux Creek Silica – Possible Action on Operators Agreement: Mr. LaFond said that all Attachments are included with the Sioux Creek Sand Operators Agreement and Attorney Thiel and Mr. LaFond feel the Agreement is ready to be approved. Mr. George Bates, owner of Sioux Creek Silica, spoke to the Town Board and those present about his Company. Under promise and over deliver was advice given to him by an attorney friend. Sioux Creek Silica is committed to only be involved with trucking operations, as necessary. He wants to reinforce his and his Company's commitment to have the Conveyor up and running in 365 days from building start date. The Company is committed to hire qualified employees from the area. The Conveyor is required to be up before final permits are issued. Company paid Barron County \$330,000.00 to redo the haul route they will be using until the conveyor is up and running. Cost of the conveyor is 2 ½ Million Dollars.

Motion by Hanson, seconded by Plummer, to approve the Sioux Creek Silica Operators Agreement as presented. Roll Call Vote – Nelson –Yes; North – Yes; Plummer – Yes; Hanson-Yes; Trowbridge – Absent. Motion Carried by Roll call Vote.

Great Northern Sand Run Off Issue: Aaron Kent, representative from Great Northern Sand, LLC said he has had conversations with Tim Nelson, Jim Plummer, Dean Trowbridge and Julie LeMoine with regard to this issue of Run Off into creek on 2nd Avenue. GNSand has been in constant discussion with Ruth King from the Department of Natural Resources. The Pond is designed as a storm water pond and is permitted to have a rocky spill way and they are not out of compliance with the DNR. Great Northern Sand LLC is voluntarily setting up a water clarification system and will put GNSand LLC in a different category with the DNR, calling this run off wastewater, allowing them to proceed with their plan to correct this issue. GNSand plan to empty the 2 storm water ponds they have. The ponds were full and with the excessive rain the area has received, they are definitely aware of the problems and are working to address them. They are using a starch based flocculent approved by the DNR. The water clarification system will run 24/7 pulling sediment out of the water. Julie LeMoine asked how soon will it take for the water to be clear instead of cloudy? As more water is kicked into it the clean water will dilute the murky looking water. GNSand continually tests the water and they know it is not a health hazard. Supervisor Plummer asked Chieftain Sand representative if they were having similar problems and the answer was yes. They are working with the DNR.

2015-2016 Assessment Contract with Bowmar Appraisal, Inc – Assessor Greg LaFond: Motion by Nelson, seconded by North to Approve the 2015-2016 Assessment Contract with Bowmar Appraisal, Inc, Assessor Greg LaFond. No discussion - Roll Call Vote – Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes; Trowbridge – Absent. Motion Carried with Roll Call Vote.

Tape Recorder for Meetings: Table – No Action

Joint Powers Agreement: Motion by Nelson, seconded by North to sign the updated Joint Powers Agreement with Barron County in regard to the Barron County Enhanced 911 System. No Discussion. Motion Carried with A unanimous Yes Vote. Document updated due to a change in the WI Statute number. Supervisor North will be asking Todd Volk from Barron Co Emergency Management Office to speak at the July 8, 2014 Board Meeting to explain and answer questions regarding Local Emergency Preparedness.

Building Inspector Report: Building Inspector not present. Supervisor Nelson read aloud the report provided by Town of Dovre Building Inspector, Daryl Dostal. He has issued 4 Building Permits. Nyhagen, Bayer, Plummer, and Perry. Patrolman Harelstad stated that Bayer does not have a Driveway Permit. This will be checked on.

Patrolmans Report: Stockpile of Gravel is getting low – will need to order 250 Yards. Patrolman will get prices and bring to June 24, 2014 Town Board Meeting. Will need to purchase 2 new batteries for the Grader. FABCO - \$300.00 per battery . He will Check with HomeTown Repair. Hanson suggested to check with Interstate Batteries. Bring to June 24th, 2014 Town Board Meeting. 4 Culverts have been put in on 29th Street from 3 ½ Avenue going South because of the great amount of water standing in the fields and on the road, from the excessive rainfall. These culverts needed to be replaced to get the water moving out of the fields and on the road. Supervisor Plummer asked, who should pay for these culverts? Board discussion. All Board Members in agreement that the Town will pay for them, as it is part of the cost of running the Town. This is an unusual situation.

New Auburn Area Fire Department Report: Al Albrecht reported that the paperwork has been submitted to apply for a Grant toward Building the new Fire Department Building. The Fire Department will know by August of 2014 if they will get the Grant and how much it will be. Jim Plummer added that the cost for the Permit is \$4000.00. Cost for hiring a company to oversee the project will be \$16,000.00. Town of Dovre will be notified by the New Auburn Area Fire Department what amount will be due from the Town of Dovre and it will be part of the 2015 Budget.

Driveway Permits: None

Board Member Reports: Supervisor Plummer – stated the 2005 Peterbilt needs a new wing post, the mechanism that raises and lowers the wing. Cost of approximately \$5,000.00. Patrolman Harelstad has information on this from Monroe Truck Equipment. Patrolman Harelstad will check with Monroe to see when they have time available to do this work and let the Board know at the June 24th Meeting. He will also get a cost difference between having Monroe do the work or if Hometown Repair could do this. Dan North – June 24th Meeting will go into closed Session with Great Northern Sand, LLC – Robbie Sage. Mr Sage had told Town of Dovre board he would have information for the July 8, 2014 meeting. Aaron Kent will find out if the information can be available for the June 24th Meeting during the Closed Session. Board wants to work with Ziperski's and other Land Owners and Great Northern Sand, LLC with reference to the Operators Agreement with GNSand, LLC. North stated that WI Towns Association is having a Training Session in Eau Claire, WI with regard to “WDNR'S Role in Regulating Industrial Sand Mining.” On June 23, 2014 in Eau Claire, WI. Clerk instructed to send in registration and payment for Supervisors North and Plummer to attend. Hanson: No Report – Nelson – No Report.

June 24, 2014 Meeting Agenda Items: Citizens Connect; Roads Bans and Implement of Husbandry; Consultant Fee Contract with Greg LaFond; Peterbilt 2005 Truck Wing repair; Gravel Stockpile: Attorney Thiel's Review of Chieftain Sand and Proppant Barron LLC Letter; Road Update; Closed Session – Negotiations with Great Northern Sand LLC and discussion of Township future planning related to Frac Sand. Reconvene into Open Session.

July 8, 2014 Meeting Agenda Items: Open Sealed Bids for Seal Coating 1 ½ Avenue; Todd Volk from Emergency Management Office; Eagle Point ATV Club Ordinance; Morgan Parmley, Ltd –Zechariah L. Gotham regarding New Town Hall; Roads

Appraisal Report Requirements: Motion by North, 2nd by Plummer to approve the Appraisal Report Requirements for Tice Appraisals to use when appraising Property Value Guarantee Properties in the Town of Dovre. No Discussion - Motion Carried with Unanimous Yes Votes from the Board.

Clerk/Treasurer, Linda K. Reinolt, read a Thank You Note received from the Doug North Family to the Town Board for the plant and expression of sympathy.

Current Bills: Motion by Nelson, seconded by North to pay Current Bills as presented, No further Discussion, Motion Carried. Unanimous Yes Vote.

Motion by Hanson, seconded by Plummer to Adjourn Meeting. Motion Carried with unanimous Yes Vote.

Linda K. Reinolt, Clerk /Treasurer
Town of Dovre, Barron Co