

TOWN OF DOVRE

TOWN BOARD MEETING

The Dovre Town Board met at 6:00 p.m. on June 24, 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 Town Board Meeting for the Town of Dovre convened at 7:00 p.m. on Tuesday, June 24, 2014, at the Dovre Town Hall. Seventeen (17) Town of Dovre Residents and Guests were present. Names of persons present at the meeting are on file with the Clerk/Treasurer. Also present -Patrolman, Art Harelstad, Jr.

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

Agenda – Chairman Trowbridge presented the Agenda stating changes in the Agenda. The Board will not be going into Closed Session due to Statute Number for closed session was missing the number (1) in the meeting notice. Move Mr. LaFond to Later in Meeting as he will not be at the meeting until 8:00 p.m. Motion by Nelson, seconded by North to approve the Agenda with the changes as presented by Chairman Trowbridge. No further Discussion, Motion Carried, Unanimous Yes Vote. Supervisor North asked Clerk/Treasurer if the Sioux Creek Silica Signed Operations Agreement had been sent to the Company Officials - Answer: Yes and also that Todd Volk from Barron Co Emergency Preparedness Office will be on the agenda for the July 8, 2014 Town Board Meeting.

Town Board Meetings: Thursday, June 26, 2014 at 6:00 p.m. at the Dovre Town Hall. This Meeting will begin in Open Session and go into Closed Session pursuant to WI Statutes 19.85(1)(e) for the purpose of conducting specified public business where bargaining requires a closed session. To discuss Strategy Related to Potential Amendments to Operations Agreements with Great Northern Sand LLC; Chieftain Sand and Proppant Barron LLC and Northern Industrial Sands. Tuesday, July 8, 2014 – Board meet at 6:00 p.m. and Town Board Meeting at 7:00 p.m. at the Dovre Town Hall.

Minutes of the June 10, 2014 Town Board Meeting were presented to the Town Board in typewritten form.

Motion by Nelson, seconded by Plummer to approve the Minutes from the June 10, 2014 Town Board Meeting. No discussion. Motion Carried. Unanimous Yes Vote.

Public Comment-15 Minutes–3 Minutes per person. Residents – Mr. Jim North - RE: Town of Dovre Property Value Guarantee – Superior Silica Sand LLC properties. - Jim North stated he had mailed the “Intent to Sell Property” to Clerk/Treasurer – Town of Dovre as required in the PVG Resolution “ Mr. North asked the Town Board to waive the required Survey of the property to determine property meets the ½ mile or less requirement in the Resolution. He would like to get his property on the Market as soon as possible. Chairman Trowbridge stated it is obvious the property is within the ½ Mile requirement.

Motion by Trowbridge, seconded by Nelson to waive the Property Survey requirement in the Town of Dovre Property Value Guarantee Resolution – Superior Silica Sand, for Mr. Jim North’s property he intends to sell. Roll Call Vote: Trowbridge, - Yes; Nelson – Yes; North – Abstained; Plummer – Yes; Hanson – Yes. Motion carried with Roll Call Vote by Town Board. Property Address is 65 29th Street.

Mr. North asked about the Appraisal of the Property to be done by Town of Dovre Appraiser, Tice Appraisals. Clerk/Treasurer is to contact Tice Appraisals to tell them to set up an appointment with Mr. North to do the Appraisal. Tice Appraisals will appraise the whole 9.45 acre parcel, but the PVGuarantee only covers the House and 2 acres of land. Clerk instructed to send Email to Town Board after contacting Tice Appraisals.

Mary Nietzel – Mary hopes the Town Board will consider the residents that are greatly affected by the Sand Mines, but plan to continue living in the Town of Dovre. The Board is giving money to those who are moving out. Consider some kind of reimbursement to help those Residents who choose to stay. Consider the concerns of the residents and how it will affect residents with more trucks on the roads and more noise from trucks and wet and dry plants, trains and now the conveyer that will be built. Not hauling after 6:00 p.m. helps. Consider no hauling on weekends. The Town Board is bending over backwards for the Sand Companies. Don’t forget the Residents who live here. An item on the agenda is “Moratorium Discussion” – Possible Action. At least this may put a halt to what is coming into the Town yet, and it is not too little too late.

Mark North – Have some questions for Mr. LaFond. Mr. LaFond will be at the meeting at 8:00. He will be allowed to ask questions after Mr. LaFond is here. He asked how many of the sand company people that are at this Meeting live in the area? Aaron Kent – GNSand - Aaron lives in Eau Claire with his family. Wife works in Eau Claire and kids attend school there. David Arndt – Northern Rail & Transload – Glad to be back in the area.

Nancy Manke – Many families in Dovre that both parents need to work- added employment is good. Environment is a great concern. Citizens need to be proactive and keep coming to the Town Meetings.

Land Owners – No Comments

Guests – No Comments

Citizens Connect: Ryan Hartzell – Citizen Connect will set the Town Board and Patrolman up with 6 Chrome Books, put in 2 Wireless Routers, 1 in Shop and 1 in Town Hall and 1 printer in the current Town Hall. Ryan stated he would provide a new quote that would probably be less than first quote. Board would also like some type of microphone system set up in the current Town Hall. Town Board would like that quote at the July 8th, Town Board Meeting.

Motion by Nelson, seconded by Trowbridge to have Citizens Connect set up 2 wireless routers, 6 Chrome Books and Printer and microphone system at the current Town Hall not to exceed \$3,104.12. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North- Yes; Plummer – Yes; Hanson – Yes; Motion Carried by Roll Call Vote of Town Board.

Mr. LaFond arrived at the Town Board Meeting. Mark North told Mr. LaFond his Sons were looking at property for sale in the Town of Dovre. One had property taxes of \$5,100.00 and another property the taxes had increased from \$4,200 to \$5,700.00. Mr. LaFond - properties are assessed and comparable properties are also looked at in the process. The Town only controls 1 small portion of the Mill Rate. Mill Rate decreased from \$5.38 to \$4.12 per \$1000.00 Valuation for the 2013 Assessment. Mark North had more questions and said that there would be 2 sales that would not be happening in the Town of Dovre. Mr. LaFond told Mark North he could come to his office and they would discuss this further, but would not answer any further questions at this time.

Greg LaFond – Consultation Contract and Fees – Possible Action: Table until July 8, 2014 Board Meeting.

Replacement Wing Post on 2005 Peterbilt Truck: Quote from Monroe Truck is \$4,500.00 – Price effective until July 1, 2014. Probably will not be able to do this job until the end of August, but would put it in their schedule when notified.

Motion by Nelson, seconded by Plummer that Patrolman, Art Harelstad should make arrangements with Monroe Truck Company to have this Wing Post Mechanism installed on the 2005 Peterbilt Truck. Roll Call Vote: - Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried by Roll Call Vote of Town Board.

Barron/Dunn Avenue Road Project: Chairman Trowbridge signed the Water Resource Application for Permit from DNR, needed to move forward with Road Project. Clerk/Treasurer will mail the Signed Application along with a Check in the amount of \$140.00 to the Department of Natural Resources for the permit.

Road Status – Water: 3 ½ Avenue East from 29th Street, water going across the road, and 29th Street, water not going down in fields even though new culverts put in, not enough water is running through culverts. There doesn't seem to be a lot the Board can do. Possibility of pumping the water, but would need a Water Discharge Permit from the DNR. Nelson – It would be a waste of time and money. Plummer - We are going to need a Road Engineer to help with this problem. Board unanimously decided that part of 3 ½ Avenue going east of 29th Street will be closed. Patrolman Harelstad is to put up Snow Fence Barricade across the road with Road Closed Signs tomorrow, June 25, 2014. Patrolman Haelstad will ask the Barron County Highway Department if they will look at the situation and offer some solutions.

Gravel Stock for Town Road Repair: Patrolman Harelstad contacted John S. Olynik, Inc., and they will honor the same price they quoted to the Town for Road Project, so Patrolman Harelstad ordered Gravel from Olynik.

Chieftain Sand Anderson Mine Operation Agreement: At June 10, 2014 - Motion by Plummer, seconded by North, contingent on Attorney Thiel's approval, to approve moving forward with the Anderson Mine, but no sand will be hauled until final approval is received from Attorney Thiel. Motion Carried with Unanimous Yes Vote.

With authority from the Town of Dovre Board Members, Attorney Thiel drafted a "Short Agreement" executed by and between both parties containing the information from the Chieftain Sand Letter of June 10, 2014. Copy of this Document was forwarded through Email to Jason Hanson, Chieftain Sand and Proppant Barron LLC.

Chieftain Representative stated that 2 sentences in Paragraph #6 in the "Short Agreement" changes the "Operations Agreement". Chieftain Sand and Proppant Barron LLC will honor the June 10, 2014 Letter in which Chieftain Sand addresses the requests made from the Town of Dovre with regard to the Anderson Mine Operations. Chairman Trowbridge read the "Short Agreement" paragraph aloud and he does not think it changes anything with the "Operations Agreement". Mr. LaFond stated also that this does not change the "Operations Agreement" with Chieftain Sand. Chairman Trowbridge said that due to issues that occurred last year with the Anderson Mine, Chieftain Sand will not be allowed to start working at the Anderson Mine Site until the "Short Agreement" Document is signed. Chieftain Representative said they will not sign the "Short Agreement" at this time and Chieftain Sand's Attorney Joe Mirr will contact Town of Dovre Attorney Bill Thiel. Jason Hanson, Chieftain Sand, stated that the Haul Route (3rd Avenue) will be repaired to the baseline condition it was prior to the sand hauling, and as Chieftain has agreed to the terms set forth by the Town of Dovre in the June 10, 2014 letter, they will move forward. Chairman Trowbridge will be consulting with Attorney Thiel. If he can meet with Attorney Thiel tomorrow, this may be on the Thursday, June 26, 2014 Meeting Agenda.

2013 Financial Audit is complete: Mr. Dan Thole, auditor will meet with Chairman Trowbridge and Supervisor Dan North and Clerk/Treasurer Linda K. Reinolt on July 22, 1:00 p.m. at the Dovre Town Hall.

Northern Industrial Sand – June 16, Letter from Tn of Dovre; David Arndt and Larry McGlumphy, General Manager, representing Northern Industrial Sands. Letter Dated June 16, 2014 stated on June 10, 2014 the Board of Supervisors for the Town of Dovre approved the request of Northern Industrial Sands to initiate Site Grading at the proposed site for the dry plant for Northern Industrial Sands. The approval for Site Grading is contingent on all of the following conditions. 5 Conditions were listed. Vehicles do have a right to use Dovre roads to get into site. Per the Letter, All “Construction Equipment” shall use Barron County Highway SS as the ingress and egress point to the site. Northern Industrial Sand said the language in the last two paragraphs was redundant and removed by Geat Northern Sands. Discussion followed – agree to put 2 paragraphs back into Agreement Letter. Larry McGlumphy addressed the Board and explained that Northern Industrial Sand and Northern Rail and Transload are 2 separate entities. Northern Rail and Transload owns all of the property that the Transload Site will be on. Town of Dovre stated that the approval of the request is only for Grading and Preparation of the site. There will be no construction on the site until the Application for Nonmetallic Mining Operations Agreement, the Operations Agreement and NR135 Reclamation Plan is approved. Rail activity comes under Licensing. Mr.LaFond will redraft the June 16 letter for approval and signing at the June 26 Town Board Meeting.

Rd 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 theTown 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 2 rail road crossings in Dovre between July 6 – 12, 2014. Barron County will redo the blacktop at the crossings. Question: How long can the Rail Road Crossings be blocked and who polices them? Can be blocked for 10 minutes, if train moves 3 inches it can be another 10 minutes, etc. WI Commissioner of Railroads, but very difficult to make contact. 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.

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 Professional 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 – Yes. Motion Carried by Roll Call Vote of Dovre Town Board.

Patrolman's Report: Tomorrow at 11:00 a.m. representatives from Progressive Rail and Barron County Highway Department will be meeting at the rail road crossing on Highway D in Chetek, near Harrison's Auto Body, with regard to the repair of rail road crossings in the City of Chetek and Town of Dovre. 2 crossings will be repaired in the Town of Dovre. Question – 3 ½ Avenue from 29th Street to 2nd Avenue. Per Barron Co. Highway Commissioner - The Town has 6 years to complete this project and still receive the money approved through the State Funded LRIP Project Money. Because of the water problems on and around this road, If John S. Olynik, Inc., who has the Gravel Bid for the project, will not honor the bid price for a 2015 project, the Town can break the contract and get new bids when ready to do project.

Board Discussion - The Town Board unanimously agreed to cancel the 3 ½ Avenue Road Project for 2014. 3 ½ Avenue from 29th Street to 2nd Avenue. Money budgeted for this project in the 2014 Budget, can be put into the 2015 Budget under “Designated Funds”. Patrolman Harelstad will contact John S. Olynik, Inc. with regard to this road project being cancelled for 2014. Continued discussion with regard to the water build up in fields and ditches on 29th Street and 3 ½ Avenue. Four (4) culverts have been replaced and the water has only gone down slightly. Charter and Citizens Connect both have utilities dug into the ditch. If utilities are in the way of the process of getting the water to flow/drain, the 2 utilities need to be contacted. With regard to 5 ½ Avenue over the road water problem, Art will meet with the Dpt. of Natural Resources with regard to a permit to put in a different culvert. Barron County Highway Commissioner suggested a Water Shed Project could be done on 5 ½ Avenue. Patrolman Harelstad will have the Commissioner also look at 3 ½ Avenue. Patrolman Harelstad is in the process of mowing the ditches, 1st pass, and plans to be done by July 4th, 2014.

Crack Filling – Sections of roads Patrolman Harelstad recommends for crack filling: 27 1/s Street, south of wayside – ¾ Mile – would be done under warranty and would be no charge for the section; ½ Avenue by Holter's – ¾ Mile; 1 ½ Avenue – crack fill before seal coat – 1 ½ Miles; 26 ¾ Street – ½ Mile. Board directed Patrolman Harelstad to get and estimate of cost and report at July 8th Town Board Meeting.

Driveway Permits: None – Question – Did Mr. Hodges pay for his Driveway Permit? Yes he did.

Application for NonMetallic Mining Operations Agreement: Mr. Greg Lafond presented a draft of the Proposed Application for Nonmetallic Mining Operations Agreement and Operations Agreement. Mr. Lafond asked that the Town Board review these proposed documents and Email changes and/or questions to him and put on the agenda for Thursday, June 26, 2014 Town Board Meeting for review and possible action.

Moratorium Discussion: Supervisor, Dan North read aloud the “Motion to Establish a Two Year Moratorium Regarding the Issuance of Nonmetallic Mining Licenses or Nonmetallic Mining Operations Agreements”.

Supervisor North - I move that the Town of Dovre establish this Two Year Moratorium. Discussion & Information followed.

Mr. LaFond stated that several studies will be needed during this proposed 2 year Moratorium. Road Impact Study – cost \$15,000 to \$20,000. Review current Property Guarantee Programs at a cost of \$6,000.00 to \$8,000.00. Assess the impact on the rural area at a cost of \$10,000.00. Update and revise the Town of Dovre Comprehensive Plan – Not as costly, but will probably take the longest to do. Suggest working with UW Wisconsin, and the Chairman to appoint Board Members and Community Members to a committee to revise the comprehensive plan. He then presented many financial sheets he had prepared, with comparisons and projections of The Town's Finances, Tax Money and Money expected from the Sand Companies and a Ten year projection of increasing Manufacturing Values in the Town. The Town of Dovre must continue to work forward and look at solutions that have not been looked at previously.

Supervisors Plummer and North attended a meeting at which they were told that without Zoning in place moratoriums would need to be for a shorter period of time. Studies would need to be done in 6 to 10 month period. Chairman Trowbridge said that Zoning for the Town of Dovre was voted down at a very high margin at a meeting held at the New Auburn School a few years ago. Wisconsin Towns Association legal council said with zoning controls, there are more “Headaches” and a lot more “Paper Work”. Comment: When a Moratorium ends, there would be people and sand companies at the door.

Motion by Nelson, seconded by Hanson to table action on the Proposed Moratorium and put it on the July 8, 2014 Town Board Meeting Agenda. Motion Carried by a Unanimous Yes Vote of Board Members.

Board Member Reports and Updates: Nelson – No Report; North – Went to day long meeting put on by the WI Towns Association and was very informative. “Implements of Husbandry” requirements. Moratoriums - A moratorium cannot be put in place and the Town does nothing. The Town would need to decide what issues to pursue, with legal help. Water issue with 3 ½ Ave. – If want to move water through a pipe or hose would need DNR Approval. Board Meetings 2 times per month are needed. Need to set up a committee to work on “Implements of Husbandry” Supervisor North is volunteering to be on the Committee with Supervisor Plummer and Patrolman – Art Harelstad. Plummer - There are 13 Air Monitors in Barron County and feels More is needed. Great Northern Sand has 1 Monitor. Have had lots of telephone calls regarding the water on and by the roads with the very unusual weather this year. Hanson - Asked Aaron Kent if GNSand are running pumps yet. Yes and have 3 tanks now and going to get another tank.

Northern Industrial Sands: Northern Industrial Sands is working with Barron County and Cooper Engineering with regard to possibly changing access to 5 ¼ Avenue onto HWY SS. A Tentative plan for this will be in place by the July 8, 2014 Town Board Meeting. Supervisor Plummer added his concern about the wet lands in this area. Do not want to see anything happen to these important wet land areas,

July 8, 2014 Meeting Agenda Items: Open Sealed Bids for Seal Coat Project; Citizens Connect; Implements of Husbandry; Consultant Fee Contract with Greg LaFond; Prepay Propane; Chieftain Sand and Proppant Barron LLC Agreement – Anderson Mine; Road Update; Eagle Point ATV Ordinance; Todd Volk-Emergency Preparedness; Morgan Parmley Ltd. – Town Hall; Estimates for Crack Filling; Moratorium; Progress on PVG Appraisals; Northern Rail & Transload; Patrolman Report; Driveway Permits; Grader Batteries;.

Mark Ziperski: RE: Selling Property that is ¼ Mile from GNorthen Sand according to survey he has had done. and has provided that information. Chairman Trowbridge – You can begin the selling process as the survey is completed.

Motion by North seconded by Trowbridge to Adjourn Meeting. Motion Carried with unanimous Yes Vote.