

## TOWN OF DOVRE

### TOWN BOARD MEETING

The Town Board Meeting for the Town of Dovre convened at 7:20 p.m. on Tuesday, July 22, 2014, at the Dovre Town Hall, following the Public Hearing, located at 304 25 ½ Street. Approximately Twenty Five (25) Town of Dovre Residents and Guests were present. Names of persons present at the meeting are on file with the Clerk/Treasurer

Chairman, Dean Trowbridge called the Meeting to order at 7:20 p.m. Roll Call - Supervisors Present – Tim Nelson – Dan North - Jim Plummer – Mitch Hanson - Chairman Dean Trowbridge – Present. Also Present, Clerk/Treasurer – Linda K. Reinolt and Patrolman - Art Harelstad, Jr., Consultant – Greg LaFond and Attorney Dan Gustafson.

Agenda – Chairman Trowbridge presented the Agenda stating changes in the Order and adding of some Agenda Subject. #1 – Moratorium Ordinance; #2 – Sioux Creek Silica Sand; #3 – Morgan & Parmley Ltd.; #4 – Progressive Rail. The Security Bank Representative will not be at this meeting.

Motion by Nelson to adopt the Agenda presented with the changes stated above, seconded by North, Motion Carried – Unanimous Yes Vote.

Minutes of the July 8, and July 15, 2014 Town Board Meetings were presented to the Town Board in typewritten form.

Motion by Plummer, seconded by Trowbridge to approve the Minutes from the July 8, 2014 Town Board Meeting, No discussion. Motion Carried. Unanimous Yes Vote.

Motion by Nelson, seconded by North to approve the Minutes from the July 15, 2014 Town Board Meeting (Closed Session Meeting per WI Statute 19.85 (1)(e) – Northern Industrial Sands/Northern Rail and Transload) . No discussion. Motion Carried. Unanimous Yes Vote.

August 2014 Town Board Meetings will be held on Tuesday, August 5, 2014 – 6:00 p.m. Town Board Road and Driveway Inspections and 7:00 p.m. Town Board Meeting; Tuesday, August 19, 2014 Town Board Meeting at 7:00 p.m.

Public Comment-15 Minutes-3 Minutes per person. **Residents:** Oliver Jonelis – Clarification that he has filed the correct paperwork and what the next steps are if he decides to sell his home to be eligible for the Property Value Guarantee. Yes he has filed the correct paperwork and received an explanation of the process. Steve Coon – Drives Sand Truck and feels there should be more policing of sand routes. Truck Drivers are concerned about their safety and the public's safety on these heavily traveled truck routes. Mark Ziperski – PVGuarantee – Hopeful that after the modification and amending of the Operations Agreement with Great Northern Sand, the ¼ Mile will include some properties not included at this time. At the current time the Ziperski and Jonelis Properties are only covered under the Town of Dovre Property Value Guarantee. Process begins with the "Letter of Intent to Sell Property" sent to the Dovre Town Clerk/Treasurer and also to the Sand Company involved. Town of Dovre has received Mr. Ziperski's "Notice of Intent to Sell Property".

Land Owners – No Comments

Guests – Aaron Kent – Moratorium – Greg LaFond, Consultant, said there are numerous towns that have adopted a moratorium. Each place has different reasons for doing so. It is a chance for Dovre to update or create their Comprehensive Plan. Aaron - Dovre has a Licensing Ordinance in Place; A Mining Ordinance (not ever used) and has entered into Operations Agreements.

Moratorium discussion - Attorney Gustafson and Consultant LaFond advised the Board to Direct Town Attorney to create a new Moratorium exempting the Sand Companies Operating and the Companies the Town is working with at this time. North Abstained – Nelson – shared with Board that during Public Hearing 7 people were in favor and 8 people were against the Moratorium. This was Advisory, but looking for direction. He would be in favor of 12 months not less. Plummer – Table Issue

Moratorium Ordinance - The Town Board directed Attorney Gustafson and Attorney Thiel to prepare a new proposed Moratorium for a period of 12 months with Great Northern Sand LLC – Chieftain Sand and Proppant Barron LLC – Sioux Creek Silica Sands - Northern Industrial Sands/Northern Rail and Transload exempt. The Board wants to keep status quo in place while making decisions. Consultant said the Town does not need to have another public hearing.

Sioux Creek Silica, LLC - Mr. George Bates, Manager of Sioux Creek Silica, LLC stated there are Errors in Paragraph 7D of the "Amendment No. 1 to Sioux Creek Silica Operations Agreement" that was mailed to him for his signature. It was not prepared as proposed. Mr. Bates will not sign the Document. He is willing to continue to work with the Town on this Agreement. This Conveyor is a 9 to 10 Million Dollar Project.

Suggest that the Attorney Thiel and Attorney Gaebler together draft the corrected Amendment. The Town wants assurance from Sioux Creek Silica, LLC. Town Board will put on the Agenda for August 5<sup>th</sup> Town Board Meeting – “To reconsider Amendment #1 in the Sioux Creek Silica LLC Operations Agreement”.

Morgan and Parmely Ltd – Town Hall: Zech Gothum has made the changes discussed at the July 8, 2014 Town Board Meeting to the Building Plans for the New Town Hall Building. Field test of water from current source, water tested to be high acidic water - Iron and Manganese. Will have water tested By Colfax Lab. Discussed Shingles versus Steel Roof and heating of building and water system. Also talked about location of Town Hall. Consider possible location to the East of Current Town Hall Building.

Progressive Rail, Inc. – Dave Fellon from Progressive Rail said improvement of the rails started in 2004. They hire local people and want to be part of Communities. Increasing rail size. They are not just for hauling Fac Sand. They are looking at land acquisition for a 10 to 12 track yard site. Jeremy is the local Contact for Progressive Rail. Has office in New Auburn. Progressive Rail’s main office is located in Lakeville, Minnesota. Questions – Improving Crossings – It costs approximately \$20,000.00 for 1 crossing repair and upgrade. Plummer – 2 train cars, 1500 & 1501 have City of Barron on side – would like to see Town of Dovre on them and said Thanks for Crossing Improvements that have been done. Progressive Rail will provide Train Safety Presentations at schools and take children to train as part of Presentation. Just need to get in touch with them and request.

Road Status: Patrolman, Art Harelstad reports that all Roads are Open now.

Prepay Propane: Motion by Nelson seconded by Trowbridge to prepay 3000 Gallons Propane at \$1.69 for the 2014/2015 Season with Quality Propane, Chippewa Falls, WI. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; - Plummer – Yes; Hanson – Yes. Motion Carried.

Eagle Point ATV Club Ordinance: No one present from ATV Club.

Emergency Operations Plan - Propane should be added to Plan. Dan North will make the necessary changes to bring the Document up to date. Will be on the Agenda for August 5, 2014 Town Board Meeting for possible adoption.

PVGuarantee Appraiser - Motion by Nelson to pay Loonstra Appraisal Service \$475.00 to cover the billing for the Appraisal of the Jim North Property under the Property Value Guarantee Resolution. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Abstained; Plummer – Yes; Hanson – Yes. Motion Carried.

Consultant Contract - 1 year Consultant Contract for Greg LaFond was approved at the July 8, 2014 Town Board Meeting. Chairman is authorized to sign the Contract.

Implements of Animal Husbandry - Plummer and North have attended another meeting today with regard to this program that will go into effect January 1, 2015. There are several options as far as implementing or opting out of the program. Board will continue to obtain information and determine the best course of action to take.

Northern Rail and Transload - Mr. Brian Gilbertson, COO and Larry McGlumphy, General Manager were present. Mr. Gilbertson paid the Permit Fee of \$25,000.00 to Clerk/Treasurer. Study on HWY SS – Brian has verbal and email they will use 6<sup>th</sup> Avenue to HwySS and Back to HwySS. Would like to get necessary road upgrades done. NR135 says – When they get Air Permit and Storm Water Permit, they will submit a letter to Barron County to start work.

Motion by Nelson seconded by Plummer to adopt Amendment #1 to Operation Agreement. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes; Motion Carried.

Motion by North, seconded by Nelson to adopt the Operations Agreement with Northern Rail and Transload as Amended. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes. 3 copies of Operations Agreement were signed and provided to the Town.

Culvert on 30<sup>th</sup> Street - Supervisor Plummer reported that on July 28, 2014 Chippewa County Soil Conservations Service, a Representative from Town of Sampson and Representative from Barron County Conservation Service and Jim Plummer from Town of Dovre will meet at the culvert area on 30<sup>th</sup> Street. Barron County has done a Water Shed Study on 5 ½ Street and have approved a larger culvert on 5 ½ Street. 30<sup>th</sup> Street water runs through culvert on 5 ½ Street. This project will be taken care of by the 2 Counties involved and not the Townships. Will put on Agenda for August 5<sup>th</sup> Town Board Meeting.

Excel Energy Sub Power Station Building Permit - Town of Dovre Building Inspector has been notified and papers received today by the Clerk/Treasurer from Excel Energy will be forwarded to the Building Inspector.

Patrolman Report – Barron County has completed Chip Sealing on 1 ½ Avenue. Fahrner completed Crack Filling on designated roads. They also crack filled 1<sup>st</sup> Avenue from 27<sup>th</sup> East to Railroad tracks. This was not one of the designated roads to be crack filled: Suggest looking at Snowplow Contracts at August Meeting:

Wing for Grader – Company will contact Art when it is there. 29<sup>th</sup> Street – Work Approved – Approximately 2 Weeks – Russ from Barron County Highway Department will be in charge and doing the machine digging. They will have people from Charter and Citizens Connect present along with people from Diggers Hot Line and people that will be doing hand digging as necessary.

Fire Department Report - Jim Plummer – one of Dovre's Representatives on the New Auburn Area Fire Board reported Superior Silica Sand offered \$300,000.00 divided between the Fire Department and Village of New Auburn over a period of 10 years. New Fire Dpt Building – \$850,000.00. Grant has also been applied for. Dovre may have to pay \$4000.00 toward cost of applying for grant. Architect/Engineer will handle all permits.

Driveway Permits - None

Board Member Reports - Nelson – No Report; North – No Report; Plummer – No Report; Hanson – No Report; Trowbridge – Board Members met to set up a time at Citizens Connect with Brandon to be trained on the Chrome Books.

Clerk/Treasurer – Laptop Computer?

August 5, 2014 Meeting Agenda Items: Emergency Operations Plan; Proposed Moratorium; New Auburn Bank Rep – Financing for New Town Hall Building; Reconsider Sioux Creek Silica LLC Amendment #1 of Operations Agreement; Excel Energy Sub Station Permit; 30<sup>th</sup> Street Culvert; Snowplow Contracts; Patrolman Report; Driveway Permits

Mr. Jerry Stefanski addressed the board with an offer to sell his property on 3 ½ Avenue to the Town of Dovre. The home on the property was the East Dovre School House, Built in 1920. Chairman Trowbridge stated the Board will take it into consideration.

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

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