

## TOWN OF DOVRE

### TOWN BOARD MEETING

The DovreTown Board met at 6:00 p.m. on Tuesday, August 5, 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, August 5, 2014, at the Dovre Town Hall. Twenty-Two (22) 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 7:00 p.m. Roll Call - Supervisors – Tim Nelson – Dan North - James Plummer – Mitch Hanson and Chairman Dean Trowbridge are all Present. Also Present - Clerk/Treasurer – Linda K. Reinolt, .Patrolman, - Art Harelstad, and Consultant Greg LaFond were Present,

Chairman Trowbridge stated to those present that this Board Meeting is being recorded.

Agenda –. Motion by Nelson, seconded by North to adopt the Agenda as presented by Chairman Trowbridge. No further Discussion, Motion Carried, Unanimous Yes Vote.

Minutes of the Public Hearing held on July 22, 2014, Town Board Meeting held on July 22, 2014 and the Town Board Meeting held on Friday, August 1, 2014, the Financial Statement, Detailed Receipts & Disbursements and Reconciliation of Bank Statement Report as of July 31, 2014 were presented to the Town Board in typewritten form.

Motion by Nelson, seconded by North to approve the Minutes, from the July 22, 2014 Town Board Meeting as printed. Motion Carried with a Unanimous Yes Vote.

Motion by Nelson, seconded by Plummer to approve the Minutes from the July 22, 2014 Public Hearing, as printed. Motion Carried with a Unanimous Yes Vote.

Motion by Nelson, seconded by North to approve the Minutes from the Town Board Meeting, with Closed Session held on August 1, 2014 as printed. Motion Carried with a Unanimous Yes Vote.

Motion by Nelson, seconded by Trowbridge to Approve the Financial Statement Reports as of July 31, 2014. No Discussion, Motion Carried. Unanimous Yes Vote.

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

Decision of the Board to hold the next Town Board Meeting on Tuesday, August 19, 2014. at the Dovre Town Hall. Town Board Meeting will begin at 7:00 p.m. The next Town Board Meeting will be September 9, 2014.

Public Comment-15 Minutes-3 Minutes per person. **Residents:** None - **Land Owners:** - John Drost – Owns property on 3 ½ Avenue and 30<sup>th</sup> Street. Concerns – Traffic – Property Devaluations – Adverse Impacts not evaluated and addressed. Mr. Drost read information with regard to a Law Suit between Eau Claire Co and 5 Star Properties Sand Company. This lawsuit will be a big cost to the County and the Taxpayers. Suggest the Board investigate the Lawsuit to help protect the Town of Dovre and its Residents. -- 12 Month Moratorium – Yes – Sand Co's – Reclaim all mine sites and all sites related to production and should not be allowed to be Exempt. – **Guests** – None

Security Bank Representative – Financing of Town Hall - Karen Smith from Security Bank of New Auburn presented proposal with different options with regard to Financing the New Town Hall Project. Per WI Statute the loan can be no longer than 10 Years. Fixed Rate 3.15%; No prepayment penalty; Annual Payments. Bank needs: Copy of Minutes permitting Board to build a new town hall and borrow money; List authorized signers, 2011,2012 and 2013 Financial Statements; Construction Plans – Blueprint and Cost Estimate; Parcel Number. Consultant LaFond stated the Board needs to adopt a Formal Debt Resolution for Borrowing that needs to be prepared by Attorney Thiel.

Xcel Energy Sub Power Station Building Permit & Fee - Xcel Energy has obtained the Building Permit from the Town of Dovre and has paid the Permit Fee.

Culvert on 30<sup>th</sup> Street - Supervisor Jim Plummer met at Butterfield's with Chippewa County Highway Dpt. Rep. and Barron Co Highway Dpt .Rep. The 2 Counties will determine what needs to be done. Chippewa Co Rep indicated nothing would be done with the culvert.

Emergency Operations / Management Plan - Supervisor North has gone through the plan and made necessary changes and additions and will need to get more information regarding Northern Rail and Transload. Need the Template to make the changes in the Emergency Operations Plan. Volk said the changes are to be made on

the template by the Town. Clerk/Treasurer will look to see if there is a Template from the 2011 Plan is still available on town computer records.

Reconsideration of paperwork for Sioux Creek Silica Amendment #1 of Operations Agreement - Mr. George Bates representing Sioux Creek Silica, LLC stated he would not sign the Amendment No. 1 to Sioux Creek Silica Operations Agreement. Discussion continued between Mr. Bates and the Town Board Members. Having a Limit of days for Trucks Hauling Sand prior to Conveyor being in operation is a major issue. Discussion concerning "Alternative Amendment No. 1 to Sioux Creek Silica Operations Agreement" continued. Consultant LaFond suggested – The Town Board rescind Amendment #1 and approve "Alternative Amendment No 1 ..." or Sioux Creek Silica LLC can haul sand up to 3 years on specified Town Road(s) and give Town of Dovre an Irrevocable Letter of Credit for Ten (10) Million Dollars. At this time the Initial Operations Agreement is the only Agreement in effect. Mr. Bates wants the Attorneys for Sioux Creek Silica, LLC and Town of Dovre to work together to clean up the language in the Amendment. Sioux Creek Silica LLC is committed to building the Conveyor. Town of Dovre will not agree to indefinite trucking. Supervisor Nelson stated that Business has a right to have trucks on the roads and no one can guarantee when permits will be issued. Supervisor Plummer stated he would like to see some permitting completed and they should have a portfolio to show where they are at with the permit process. LaFond – Clarification – Mr. Archibald told the Town Board that Permitting would take 6 to 9 months and then Building the Conveyor would be 12 to 15 Months. Also the Sioux Creek Silica has a Road Agreement with Barron County that says Sioux Creek Silica LLC could be up to 175 trucks per day. If necessary Barron Co will extend Agreement. Bates – There are many things in the Agreement. Understanding there could be a gap of time. They are in the process of getting permits – Bates said, we have the Storm Water Management Permit from the DNR. – LaFond – According to the DNR this permit has not been issued and suggested Mr. Bates should check with the engineers.

Motion by Plummer, seconded by Nelson to table further discussion to Board Meeting on September 9, 2014. Motion Carried - Unanimous Yes Vote. Mr. Bates said he will be bringing other company people involved with this project to the September 9, 2014 Meeting.

Proposed Moratorium Ordinance - Objectives of this Proposed Moratorium Ordinance are Truck Traffic - Road Use and Safety; Environmental and Economic Impact. Property Value Guarantee; and Comprehensive Plan. Town Board continued with discussion. Would need to hire people or company to research the economic and environmental impacts of the Sand Companies in the Town. Supervisor North stated the Section 4 of the proposed 12 Month Moratorium stated "This Ordinance shall not apply to: Cheiftain Sand & Proppant Barron, LLC; Great Northern Sand LLC; Northern Industrial Sands, LLC; or Sioux Creek Silica, LLC". Supervisor Nelson - Question if can do a good job and get this done in 12 months. Would need to find residents to be on a Committee to work on the Comprehensive Plan, the Town's overall guiding document. Could ask Barron County Highway Department Commissioner, Mark Servi to present information on Roads from Studies he has done. Supervisor Plummer said the Moratorium could be put on for 2 years and then if paperwork is done prior to the 2 years could take the Moratorium off at that time. Consultant Greg LaFond suggested an alternate way to do what they want to accomplish addressing the Roads – Economic & Environmental Issues - Property Values and Comprehensive Plan. These issues can be addressed without a Moratorium. Town could develop an Action Plan. Would need: Comprehensive Plan planning committee; Letter to Mark Servi regarding Road information; Contact the University of Wisconsin to help put information together relating to Economic Impact and Environmental Impact and indefinitely postpone the 12 Month proposed Moratorium Ordinance.

Motion by North, seconded by Hanson to indefinitely postpone the Proposed 12 Month Moratorium Ordinance. Motion Carried with Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes.

Motion by Nelson, seconded by Hanson to assign the development of an Action Plan for the town of Dovre to Consultant, Greg LaFond and to present the Action Plan at the Town Board Meeting on August 19, 2014. Motion carried with a Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes.

Snow Plow Contracts: Board Discussion. Motion by Trowbridge, seconded by Nelson to keep the Snow Plow Contract Charge of \$100.00 for all Contracts received by the Due Date of November 1, 2014. A Contract requested and issued after December 1, 2014 will be charged \$150.00. Motion carried - Unanimous Yes Vote.

Computer Purchase for Clerk/Treasurer - Clerk/Treasurer will check on prices, etc.

Property Value Notices – Assign responsibility of carrying out this task - Motion by North, seconded by Nelson to assign this task to Consultant, Greg LaFond to determine which properties are affected and

prepare and send letters to those Landowners/Residents in the Town of Dovre. Motion Carried - Unanimous Yes Vote.

Building Inspector Report - Building Inspector not present – Chairman Trowbridge read the Building Inspectors written report. Properties he is working with – Jim Bayer Property on 5 ½ Avenue; Rodney Gunn property on Barron Dunn Avenue; Chieftain Sand and Proppant Barron, LLC - 2 Storage Sheds one at each plant; Xcel Energy Substation Building; and will be checking on Ron Rud property on 6 3/16 Avenue, and a property on 3 ½ Avenue.

Patrolman Report - Barron County will begin the Ditch Digging Project on 29<sup>th</sup> Street tomorrow. Crack Filling has been completed by Fahrner Asphalt Sealers, LLC. They crack filled on 1<sup>st</sup> Avenue in error so that was done in addition to those contracted. This was Fahrner's mistake and they asked if the Town, would pay \$2,000.00 of the cost incurred by Fahrner for 1<sup>st</sup> Avenue.

Motion by Hanson, seconded by Nelson to pay Fahrner Asphalt Sealers LLC \$2,500.00, in a good faith gesture, for the crack filling, done in error, on 1<sup>st</sup> Avenue. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes.

Barron Dunn Avenue – Barron County has cut the hills and are going to pulverize (quote-\$8,300.00) 1 ¼ Mile – 9000 Ton Gravel for whole project. 3 ½ Avenue – East of 29<sup>th</sup> Street Project – After the water is gone, the road may be dry enough to pulverize in another month. Could have Barron County pulverize when they pulverize Barron Dunn Avenue. Would need to contact John S. Olynik LLC and see if they can put this project back into their work schedule.

Town Board authorized Patrolman Harelstad to contact John S. Olynik LLC to see if they would be able to put East of 29<sup>h</sup> Street Gravel Hauling back into their work schedule and contact Barron County Highway Department to see if they can add 3 ½ Avenue East of 29<sup>th</sup> Street into their schedule to pulverize.

Motion by North, to go forward with work on Barron Dunn Avenue, pulverizing and graveling and also on 3 ½ Avenue from 29<sup>th</sup> Street to 30<sup>th</sup> Street to pulverize and haul gravel per John S, Olynik LLC 's Bid that the Town of Dovre Accepted for the 3 ½ Avenue Road Project – 29<sup>th</sup> Street to 30<sup>th</sup> Street - Amend Motion – Not to exceed \$250,000.00 for the 2 projects, seconded by Trowbridge. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes.

Hydraulic Motor on the Sander was leaking. Mitch Hanson made the repair and it is no longer leaking. Patrolman Harelstad was notified by Health Insurance Company that his insurance will cover him until December 31, 2014 with no change in premium. Board will take this up at a later date.

Fireman & Ambulance Report - Al Albrecht reported that the New Auburn Area Fire Department should find out in the next couple of weeks if they will get the grant money they applied for to be used in the construction of a new Fire Hall.

Driveway Permits - None

Board Member Reports – Supervisor North handed out Information with regard to the Implement of Animal Husbandry to all Board Members. Supervisor Nelson - Asked Aaron Kent if he had talked to Mr. and Mrs. Jonelis with regard to the blasting. Aaron said he had talked to Mrs. Jonelis and added their name to the list of people they contact when GNSand is going to blast. Was this a property they checked? -. Robbie Sage addressed the Email. Aaron said he did not think there were any more blasts planned for this year. Request for GNS to add Scott Nacke to the blasting list. Chairman Trowbridge – Road Inspection – There are some areas on 25 1/2 Street (Church Road) that need more gravel on the sides, the Road is settling and there are safety concerns. Would like GNSand to take a look at these areas.

Next Meeting Agenda Items - PVG Appraiser Contract; Action Plan RE: Future Planning; Establish Nonmetallic Mine License Fee: Discus/Approve Nonmetallic License Application; Emergency Operations Management Plan; New Town Hall.

Consultant Greg LaFond informed the Board the Town will receive a substantial amount of payment, possibly \$25,000.00 from the Ag Land Conversion Payments that will be added into revenues for 2015 Budget.

Clerk/Treasurer instructed to put all of the Town Board's new email addresses on the Web Site.

Review and Pay Bills - Motion by Trowbridge, seconded by Nelson to pay the Current Bills as presented. No further discussion. Motion Carried - Unanimous Yes Vote.

Motion by Nelson, seconded by Trowbridge to Adjourn Meeting. Motion Carried - Unanimous Yes Vote

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