

TOWN OF DOVRE
TOWN BOARD MEETING

The Dovre Town Board met at 6:00 p.m. on Tuesday November 10, 2015 at the Dovre Town Hall located at 304 25 ½ Street for a Town Board Meeting. 9 Town of Dovre Residents and Guests signed in and 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 6:00 p.m.

Roll call: Supervisors – Al Nyhagen – James Plummer – Mitch Hanson – Dan North and Chairman Dean Trowbridge are all present. Also Present - Clerk/Treasurer – Kelly Phillips; Consultant – Greg LaFond, Patrolman Art Harelstad, Jr. and Attorney Terry Dunst

Approval of Agenda: Motion by Plummer seconded by North to move both closed sessions to the end of the meeting. Motion carried, unanimous yes vote. Motion by North seconded by Nyhagen to approve the agenda with the change to move both closed sessions after the fire ambulance report. Motion carried, unanimous yes vote.

Public Input

- Al Albrecht asked if there has there been any progress about putting a fence around the outside furnace ducts. Chairman Trowbridge said it has not been discussed as the board has been dealing with other things
- Romaine Quinn wanted to introduce himself as the state representative and new resident

Town Patrolman Report

Supervisor North reported a complaint about some trees hanging over some roadways and Patrolman Harelstad contacted a tree company to meet with him and give a quote

- a. Driveway Permits
None

Building Inspector Report

WE Energies two stations
Jim Scheffer entryway
Layne Siverling dwelling and garage

Approve Minutes of October 13 2015 Meeting: Supervisor North asked about an update on new business from this meeting – have the Chieftain records been reviewed? Supervisor Nyhagen has been sick so it has been postponed and needs to be rescheduled. Supervisor North also asked about Implements of Husbandry and suggested adding that the town chose option F in the letter that is sent out in the spring. Motion by Trowbridge seconded by North to approve the minutes as presented; Motion carried, unanimous yes vote.

Approve Minutes of October 22 2015 Meeting; Motion by Nyhagen seconded by Plummer to approve the minutes as presented. Motion carried, unanimous yes vote.

Financial Report: Motion by North seconded by Nyhagen to approve the financial report as presented. Motion carried, unanimous yes vote.

Treasurer's Report: Motion by North seconded by Nyhagen to approve the treasurer's report as presented. Motion carried, unanimous yes vote.

Set Date for Next Meeting: December 8, 2015 6:00pm

Old Business

- NIS Consent Agreement
 - a. Attorney Dunst says the agreement is a reasonable assignment of their rights to their operation and the town cannot unreasonably deny unless the town can prove the agreement is hurting the town
 - b. Motion by Trowbridge seconded by North to approve the NIS Consent Agreement as presented. Roll call vote – Trowbridge – Yes; Nyhagen – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried.

New Business

- Consider Resolution for 1st Avenue speed reduction
 - There had been a request by a resident to review and reduce the speeds on 1st avenue from 25 ½ street to 29th street. A speed study was done and presented at the October 13, 2015 meeting. Motion by Trowbridge seconded by Hanson to reduce the speed limit on 1st Avenue from 25 ½ Street to 29th Street from 55 mph to 45 mph effective when the signs are put up. Roll call vote – Trowbridge – Yes; Nyhagen – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried.
- Consider Amendment to the ATV Ordinance
 - The new routes will not be open until the signage is up which is anticipated to be in the spring and the speed limit will be 25mph like the other routes. Motion by Nyhagen seconded by Hanson to approve the amendment to the ATV ordinance. Roll call vote – Trowbridge – Yes; Nyhagen – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried. When the routes are finalized a new map will be put on the town's website.
- Old Town Hall Update
 - The committee met on October 20th and exchanged ideas. The article in the paper was met with some positive responses and there are some people interested in moving the hall off site and they have a call into Mitchell moving to see how much it will cost per mile. They are also in the process of completing an application to put the building on Wisconsin's historical buildings list. Consultant LaFond asked whose name is on the application if the building is the property of the town. A suggestion was made to get the ownership out of the town's hands and have someone write up an offer to purchase the building. The committee will meet and discuss the options.
- Update on fire and ambulance district funding
 - There is a general agreement within the fire districts that the calculation will be based on population and will use the most updated numbers going forward
 - The sections in the Chetek fire district have been defined and the calculation of dues based on population and equalized value with a 50/50 split
 - Going forward, all participants in the Chetek fire district will take part in the capital costs
 - New Auburn has been and will be based on equalized value – no one will contribute the 2% fire dues
 - The fire districts are interested in making sure everyone is on the same page

- Fire & Ambulance Report
 - a. The New Auburn Fire Department is moving to the new fire hall this weekend
- Review outcome of mediation with Chieftain concerning property value guarantee
 - Attorney Dunst reported that the goals of mediation were to get the Westphals and others in the same situation included in the PVG program and improve communication. A lot of progress was made at mediation. Chieftain and the mediation committee agreed to include the Westphals and the others that surround the Poetsh property and going forward, if they expand their border, other properties will be brought in with the condition that they are not included until the mining starts. Chieftain will give a one year notice of the mining and bring the properties into the existing PVG program. Chieftain agreed to send a representative to the meetings if the board requests it and there is a topic to discuss but the discussions must be respectful and productive. The Mikkelson property is not a town concern but a private matter. Chieftain said if the Mikkelson's can prove there was damage they will take responsibility for it. Chieftain was concerned about people taking advantage of the PVG program and that some of the residents were secretly accepting lower offers. The attorneys for the town and Chieftain are working to put together an affidavit to sign before the purchase to ensure the agreement is an arms-length transaction and will need to be signed by the buyer, seller and real estate agent. Motion by North seconded by Trowbridge to have Attorney Dunst amend the operations agreement with Chieftain to update the PVG going forward pursuant to the results of the mediation. Motion carried, unanimous yes vote. Motion by North seconded by Hanson to authorize Attorney Dunst to draft a letter to the Mikkelsons stating that theirs is a private matter between the Mikkelsons and Chieftain and to copy the board and Chieftain. The Mikkelsons were present and asked the board about the blasting issue and if Chieftain was in breach of their Operations Agreement. Consultant LaFond stated Chieftain will notify owners in the vicinity and the town before they blast going forward.

Did not convene into closed session for the Chieftain Operations agreement

- Consider Amendment to Chieftain Operations Agreement regarding property value guarantee.
 - Convene in Closed Session. The Board will consider convening in Closed Session pursuant to Wisconsin Statutes 19.85(1) (e) and (g) for purposes of Conferring with legal counsel for the Town regarding oral or written advice concerning strategy to be adopted by the Town Board with respect to litigation in which it is or is likely to become involved regarding negotiating strategy with Chieftain and possible litigation strategy with Chieftain
- Return to open session if necessary and consider amendment to Chieftain Operations agreement.

Motion by Trowbridge seconded by North to convene into closed session and invite Consultant LaFond and Clerk/Treasurer Kelly Phillips. Roll call vote – Trowbridge – Yes; Nyhagen – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried.

- Convene into Closed Session. The Board will consider convening in Closed Session pursuant to Wisconsin Statute 19.85(1) (e) to discuss negotiation strategies with respect to Weld Riley over a disputed billing matter.

- Return to open session. If necessary consider action with respect to Weld Riley over a disputed billing matter.

Motion by North seconded by Nyhagen to reconvene into open session. Roll call vote – Trowbridge – Yes; Nyhagen – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried.

Chairman Trowbridge states there is no action to be taken as a result of the closed session.

Board member reports

- Supervisor Nyhagen – nothing
- Supervisor North – met with various fire departments and the Chetek city clerk and what is being proposed should clarify a lot of things; will attend the Barron County Highway Department meeting this week
- Supervisor Plummer – will attend NR 135 meeting for the mining in the groundwater; towns association meeting next Monday; fire board meeting and will be having an open house
- Supervisor Hanson – nothing
- Chairman Trowbridge – nothing

Other Administrative Matters

- Authorize Payment of Bills
 - a. Motion by Trowbridge seconded by North to pay bills. Motion carried, unanimous yes vote.
- Next Meeting Agenda Items
 - a. fire district funding update
 - b. old town hall update
 - c. fence around outside furnace
 - d. SCS collection of unpaid legal bills
 - e. appointment of the election officials

Motion by North seconded by Plummer to adjourn at 8:00pm

Minutes are not official until approved by the board at the next meeting

Kelly Phillips
Clerk/Treasurer
Town of Dovre Barron County