

TOWN OF DOVRE

TOWN BOARD MEETING

The Dovre Town Board met at 6:00 p.m. on Tuesday, July 8, 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, July 8, 2014, at the Dovre Town Hall. Thirty (30) 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.

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. Clerk/Treasurer – Linda K. Reinolt also Present.

Agenda – Chairman Trowbridge presented the Agenda stating a change in the Agenda with adding to Closed Session on the Agenda the reason for the Closed Session – “pursuant to Section 19.85(1)(e) – Discuss Great Northern Sands Negotiations and Discuss Northern Industrial Sands/Northern Transload Negotiations”. Motion by Nelson, seconded by Plummer to approve the Agenda with the stated change as presented by Chairman Trowbridge. No further Discussion, Motion Carried, Unanimous Yes Vote.

Minutes of the June 24, 2014 and June 26, 2014 Town Board Meetings, the Financial Statement, Detailed Receipts & Disbursements and Reconciliation of Bank Statement Report as of June 30, 2014 were presented to the Town Board in typewritten form.

Motion by Nelson, seconded by Trowbridge to approve the Minutes, as printed from the June 24, 2014 Town Board Meeting with 2 changes – Morgan Parmely, Ltd, Consulting Firm - Change Trowbridge Absent to Trowbridge Present and Moratorium Discussion – It should state – Motion Carried with a Unanimous Yes Vote. Motion Made, Seconded and Carried with a Unanimous Yes Vote.

Motion by North, seconded by Trowbridge to approve the Minutes from the June 26, 2014, as printed. Question from North with regard to “Property Value Guarantee covers 2 acres at \$5,500.00 per acre” is that the correct amount? Yes that is the amount stated in the Current Resolutions for the Property Value Guarantee on 2 acres. Motion Carried with a Unanimous Yes Vote.

Motion by North, seconded by Nelson to Approve the Financial Statement Reports as of June 30, 2014. No Discussion, Motion Carried. Unanimous Yes Vote.

Motion by North seconded by Plummer to approve the Reconciliation Report from the June 30, 2014 Bank Statement from Security Bank of New Auburn. Question- Nelson – Is Direct Deposit Up and Going? Yes. No further Discussion, Motion Carried, Unanimous Yes Vote.

Motion by Nelson, seconded by Trowbridge to hold the next Town Board Meeting on Tuesday, July 22, 2014. at the Dovre Town Hall. The Town Board will meet at 6:00 p.m. to review requested driveway permits and/or inspect roads. Town Board Meeting will begin at 7:00 p.m. No Discussion. Motion Carried. Unanimous Yes Vote.

Public Comment-15 Minutes–3 Minutes per person. **Residents:** Dave Nichols – Is there any change in Great Northern Sand LLC. Property Value Guarantee properties in the Operator’s Agreement with the Town of Dovre? Town of Dovre Board will be meeting with GNSand LLC to clarify issues and work on modification and amending the current GNSand Operators Agreement. Julie LeMoine – Will the Town notify Property Owners that would be affected by changes made to the Operators Agreement? Yes. – Cathy Albrecht – Chieftain Sand & Proppant Barron LLC is not Backhauling into the Anderson Mine. Chairman Trowbridge stated he had given Chieftain permission not to Backhaul the 1st Week of Hauling to give them time to get things set up to haul both ways. They will start Backhauling by the end of this week or the first of next week. The Town Board is working on an Operations Agreement with Northern Industrial Sands, LLC. **Land Owners:** - No – **Guests** – Mr. John Hardin, Barron County Supervisor representing the Town of Dovre introduced himself. He said Residents should contact him with any questions or suggestions, etc. -- Aaron Kent from Great Northern Sand LLC stated they have received Property Value Guarantee Intent forms from land owners whose property is not eligible for the ¼ Mile PVG with Great Northern Sand LLC. Who’s responsibility is it to notify those people? Not sure at this time.

Emergency Preparedness - Mr. Todd Volk, from the Barron County Emergency Preparedness Office presented information with regard to Businesses filing plans with the State of WI and the Barron County Emergency Preparedness Office with regard to hauling and storing Hazardous Chemicals, etc. Town of Dovre will be updating the Town Emergency Operations Plan with Barron County. The 2011 Plan is the last updated plan. Mr. Volk will send Supervisor North the new Template for the Emergency Operations Plan Agreement. If the Plan is completed, the Town Board will adopt and sign the Plan at the July 22, 2014 Town Board Meeting. This

Plan is a Public Record and will be available for the Public to look at. Mr. Volk - Their will be a Training Session at Birchwood with regard to what Members of the Town Board need to know and do if a disaster happens. No Date has been set for this training as of yet, but Mr. Volk will contact the Town when the Training Date has been determined.

Open Sealed Bids - Seal Coat on 1 ½ Avenue – 1 ½ Mile. Sealed Bids were opened by Chairman Trowbridge. 1) Fahrner Asphalt Sealers - \$25,070.11. 2) Barron County Highway Department - \$22,980.00. 3) Scott Construction - \$27,287.00. All Bids met specifications requested by the Town of Dovre. Motion by Plummer, seconded by Nelson to accept the Bid from Barron County Highway Department. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes; Motion Carried. Barron County Highway Department recommends that the cracks on 1 ½ Avenue need to be filled prior to Seal Coat.

Citizens Connected: Ryan Hartzell - Citizens Connected – Routers and Internet Hook Up has been connected to the Town Hall and Town Shop. Working on Setting up the Chrome Books for each Board Member and Patrolman. Citizens will set up gmail accounts for the Chrome Books. Will be under the original price quote. Will set up a microphone and recording system in new Town Hall Building. Approximate cost of \$925.00. Will not have a system set up in current Town Hall Building because of security concerns. Will be setting up a Laser Black and White Printer in Town Hall. Citizens Connected will provide approximately 1 hour of training to the Board Members on using the Chrome Books. Training will be scheduled and held at Citizens Connected.

Road Status – Water on Roads – Patrolman Harelstad reported that some roads with water problems are better and some are worse. Would like to open 3 ½ Avenue East of 29th Street to traffic. Instructed to open 3 ½ Avenue East of 29th Street on Wednesday, July 9, 2014.

Implements of Animal Husbandry - Supervisors North and Plummer will attend a meeting at the Rice Lake Campus regarding this subject and will give report at the July 22, 2014 Town Board Meeting.

Consultant Contract- Motion by Nelson, seconded by Trowbridge to approve and sign the 1 year Consulting Contract with Mr. Greg A. LaFond, up for renewal on January 1, 2015. 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.

Appraiser – Property Value Guarantee Properties - Laura R. Loonstra, Loonstra Appraisal Service, Menomonie, WI. Is recommended by Consultant, Greg LaFond to be contracted by the Town of Dovre to do the Property Value Guarantee Appraisals for the Town of Dovre. Loonstra Appraisal Service has completed the Property Value Guarantee Appraisal on the Jim and Karen North Property located in the Town of Dovre and with in ½ Mile from Superior Silica Sand making the property eligible for the PVGuarantee Payment from the Town of Dovre.

Chieftain Sand & Proppant Barron LLC - Letter dated June 10, 2014 from Chieftain Sand and Proppant Barron LLC, signed by Vic Serri, Chief Operations Office with Chieftain Sand and Proppant Barron, LLC states they agree to meet the conditions set forth by The Town of Dovre Board to recommence mining activities at the Anderson Mine located in the SE ¼ - SE ¼ Section 17 in the Tn 32 North, Range 10 West in the Town of Dovre. Chairman Trowbridge stated that the conditions have been met by Chieftain Sand and Proppant, Barron, LLC and they were allowed to start Hauling. They will not begin backhauling until next week.

Proposed Moratorium Ordinance with possible Public Hearing - Members of the Dovre Town Board feel strongly in favor of a 2 year Moratorium for Nonmetallic Mining, dry and wet plants in the Town of Dovre. Moratorium would be legally binding. Proposed Ordinance would not impact the current NR135 approved properties being mined and dry or wet plants, or companies in the process of applying for a Nonmetallic Mining Operations Agreement. Board Member stated Dovre is getting run over by the Sand Plants, etc and we need to stop to have time to assess the community needs, look at traffic, water, and health issues, Dovre Comprehensive Plan, etc. Studies will need to be made and will be costly. Mark Servi, Barron County Highway Department has done numerous road studies that might be helpful to the town. He will be contacted. Chairman Trowbridge said he had tried to get a hold of Mr. Armstrong from Barron County Development Corporation but had not been able to. Mr. Armstrong acknowledged that he is present at this meeting. The number of trucks on a haul route roads would be mind boggling. Aaron Kent, Great Northern Sand LLC, said the current Nonmetallic Mining Ordinance adopted in 2012 addresses these issues. Unanimous Board Decision – Public Hearing with regard to the ' Proposed 2 Year Moratorium regarding the issuance of Nonmetallic Mining Licenses and Nonmetallic Operations Agreements' will be held at 6:00 p.m. at the Dovre Town Hall on July 22, 2014.

Morgan Parmley, Ltd – Town Hall – Zech Gothum presented proposed Floor Plan for New Town Hall. Discussion: Intended use of Utility Room – Will need to make utility room bigger. Type of Heat – Furnace LP or In Floor. Need forced air unit for Air Conditioning. Water Heater – recommend 50 Gal Conventional Unit – water softener? Use current well or new well? Zech will take water sample. Work Space for Electrical Area- may take area out of Vault storage area - consider an additional 10 feet – Will purchase portable voting booths

and have storage area built to store 3 voting machines and voting booths, etc. - Vinyl Windows – Badger or Weather Shield - 3 Steel Doors – Window in Entry Door. Large Holding Tank – Flooring – Concrete for now in meeting room. Need Counter space and cabinets – Clerk/Treas Office - Exact Building site submitted with plans to State of WI – Need survey of Town Property – Siding & Roofing – Get cost of difference – Steel Roof or standard lifetime shingles – Siding – Steel wainscoat 2 colors – Overhang with rain gutters and down spouts – Sheet Rock – Suspended Ceiling – 2 Bathrooms – Ladies – single occupancy – W/lock – Men’s with urinal and stool & Sink with partition. Both will have vinyl base & concrete floors – Orange Peel Texture on Walls. Keys – Clerk/Treas Office – Own Key; Utility and Meeting Area – same keys – Vault – Own Key. Set up of Clerk/Treasurer Office. Zech said he will have a construction estimate when he gets plans finalized. Estimated time line – Put out for Bids – Finalize plans and send into State of WI for Approval – possibly 1st part of August. Building possibly by September or October. Can be put out for bids when plans are sent into State.

Sioux Creek Silica, LLC – Amendment to Operations Agreement – Mr. Archibald said permitting is up in the air as to what the State is requiring and is in negotiations with the DNR as to how they will issue permits. As 3 separate permits or if they include the conveyor with the other permits, they will not be done building the conveyor in the 45 week window, could be up to 52 weeks... Permitting Process could be completed in six – Nine (6-9) or if unforeseen issues arise, the process could require six to eight (6-8) months. Mr. Archibald said Sioux Creek Silica, LLC Investors are asking for assurance that Haul Trucks can be used to transport sand to the dry plant and load-out facility until the conveyor transportation system is complete, which may be more than the 365 days stated in the original Operations Agreement. Discussion continued. Attorney Gaebler, Sioux Creek Silica, LLC and Attorney Thiel, Town of Dovre have been in discussion and have agreed to certain language to be put in the letter for their Lenders. Lenders need to have specific legal language to meet a legal standard. This is needed to proceed with project. Mr. Archibald will provide documentation to the Board with regard to permits as they are obtained. He will give copies Chairman Trowbridge. Town does not want an open-ended agreement. Recommendation – Adopt Amendment No 1 to Sioux Creek Silica, LLC Operations Agreement with changes to Section 7.7 adopted on June 10, 2014. Supervisor Nelson emphatically said that the Investors for Sioux Silica Sand, LLC are not my concern, but the Town of Dovre is. Motion by Nelson, seconded by North to Adopt” Amendment No 1 to Sioux Creek Silica Operations Agreement” changing the “expiration of the initial 365 Days for Hauling Sand” to “730 days for hauling sand” also directing Mr. LaFond to draft a “Letter of Comfort” to Sioux Creek Silica, LLC and Lenders and if permits are not received within 12 months, will reopen application for discussion. Board Discussion continued. Supervisor Nelson addressed Chairman Trowbridge to Call for a Vote on the Motion made and Seconded. Roll Call Vote – Trowbridge – No; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion Carried. Mr. Lafond will draft letter to Sioux Creek Silica, LLC tomorrow and Amendment #1 with changes and Town Board Members Signatures, to be sent to Mr. George Bates, Manager of Sioux Creek Silica, LLC for his Signature.

Grader Batteries - Batteries have been purchased and installed.

Crack Fill Roads – Quotes/Bids obtained from Fahrner Asphalt Sealers and Barron county Highway Department – Bid to crack fill 1 ½ Avenue. Motion by Trowbridge, seconded by Nelson to accept the Bid from Fahrner Asphalt Sealers at a total cost of \$3,950.00. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion Carried.

Prepay Propane – Table until July 22, 2014 Town Board Meeting. Clerk/ Treasurer instructed to get information on Gallons used – 2013/2014 Season from Quality Propane and Ridgeland Coop.

Northern Rail & Transload – Northern Industrial Sands, LLC - Brian Gilbertson reported they were notified that the DNR has approved the Storm Water Permit and the permit will be issued to them. The NR135 Hearing was on June 30, 2014 and they should have the final NR135 Permit on Friday. Have questions with regard to the Operations Agreement that is being proposed. Brian Gilbertson is requesting a meeting with the Town of Dovre Board to work on and finalize the Application for Nonmetallic Mining Operations Agreement and Operations Agreement. Meeting date agreed upon - Tuesday, July 15, 2014 at 7:00 p.m. at the Dovre Town Hall. This will be a Closed Session Meeting pursuant to WI State Statutes Section 19.85(1)(e) for the purpose of conducting specified public business where bargaining requires a closed session. 1 – Negotiate Northern Industrial Sands/Northern Transload Operational Agreement.

Building Inspector Report: Building Inspector not present. Chairman Trowbridge read aloud the report provided by Town of Dovre Building Inspector, Daryl Dostal. He has issued 2 Building Permits. Logan Schultz at 710 - 26 ¼ Street and Jim Bayer at 2576 5 ½ Avenue.

Patrolmans Report – 5 ½ Avenue – Water running over Road Problem - County Aid has been approved for this Repair Project. 3 ½ Avenue east of 29th Street – Patrolman Harelstad has had Barron Co Highway Department look at the water drainage problem on the East Side of 29th Street and on 3 ½ Avenue. Barron County can fix the problem. Motion by Trowbridge, seconded by Nelson to spend up to \$7,000.00 to fix this problem by ditching on the East Side of 29th Street from Intersection of 29th and 3 ½ Avenue to the Keesy Marsh.

Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes.
Motion Carried. Barron County Highway Department will be doing the Blacktop on the Rail Road Crossings on 6th Avenue and 4 ½ Avenue that are being fixed by the Rail Road Co.

New Auburn Area Fire Department Report and Chetek Ambulance Report: No Report

Driveway Permits: Motion by Nelson, seconded by North to approve a Driveway Application Permit from Patrick Mueller – Property Located on 27 7/8 Street – No culvert required and has paid \$25.00 permit fee. Motion Carried by Unanimous Yes Vote.

Board Member Reports: Supervisor Hanson – No Report; Supervisor Plummer – Have had many Water on Road complaints. Met with Rail Road Company in Chetek. Will attend Implement of Husbandry Meeting in Rice Lake on July 15. Supervisor North - Will attend Implement of Husbandry Meeting in Rice Lake on July 15. Comment on the need for the Moratorium. Supervisor Nelson - Apologize to fellow Board Members for getting hot with Mr. Archibald. He is working to protect the Town of Dovre. Chairman Trowbridge - No Report.

July 22, 2014 Meeting Agenda Items: Eagle Point ATV Ordinance; Sioux Creek Silica, LLC; PVGuarantee Appraiser – Loonstra Appraisal Service, Proposed Moratorium, Emergency Operations Plan Update, Prepaid Propane, Northern Rail and Transload, Fire & Ambulance Reports, Security Bank Rep – Financing New Town Hall, Implements of Animal Husbandry, Update – Water problem on Town Roads. ?? Possibly Mr. Armstrong from Barron County Economic Development.

Aaron Kent, Great Northern Sand, LLC requests a Closed Session Meeting with the Dovre Town Board as soon as possible with regard to negotiations.

Motion by Trowbridge, seconded by Nelson to convene into Closed Session pursuant to Section 19.85(1)(e) of the Wisconsin Statutes for the purpose of conducting specified public business where bargaining requires a closed session. Discuss Great Northern Sands Negotiations and Discuss Northern Industrial Sands/Northern Transload negotiations. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion Carried.

Motion by Nelson, seconded by Trowbridge to reconvene into Open Session. Roll Call Vote – Trowbridge – Yes; Nelson – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion Carried.

No Action taken in Closed Session.

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

Great Northern Sand, LLC Representative – Aaron Kent and Chieftain Sand Representative – Jason Hanson expressed concerns with the proposed 2 year Nonmetallic Mining Moratorium. Clarification of proposal is needed and how it would affect the Sand Companies already established in the Town of Dovre. Discussion followed. Town Board agrees there are some changes needed in the proposal and Greg LaFond Will need direction from the Town Board on this. Trucking, Traffic, and Air Quality are the issues of concern.

Motion by Nelson, seconded by Hanson to Adjourn Meeting. Motion Carried with unanimous Yes Vote.
11:30 p.m.

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