

# Town of Red Cedar

## Minutes of Monthly Meeting

March 11, 2013

A notice of the meeting was published in the Dunn County News, and the Agenda was legally posted at Sinz Plumbing, Value Implement, the Clerk's office, the Town Hall, and online at the Town's website ([townofredcedar.com](http://townofredcedar.com)).

**Call to Order:** The Town board meeting was called to order by Ron Robelia, Chairman, at 7:02 p.m.

Roll call, quorum call, and verification of public notice and approval of the agenda of the town board meeting were had. The following board members were present:

<input checked="" type="checkbox"/> Chairman (Ron Robelia)	<input checked="" type="checkbox"/> Supervisor 3 (Dave Leach)	<input checked="" type="checkbox"/> Clerk (Cheryl Miller)
<input checked="" type="checkbox"/> Supervisor 1 (Debra Gotlibson)	<input checked="" type="checkbox"/> Supervisor 4 (Doug Miller)	<input checked="" type="checkbox"/> Treasurer (Jill Haldeman)
<input checked="" type="checkbox"/> Supervisor 2 (Andy Gansberg)		

**Meeting Minutes:** Board members reviewed the prior month's minutes. *Motion by Deb Gotlibson to accept and approve the minutes as presented; motion seconded by Andy Gansberg. None opposed. MC*

**Treasurer's Report:** Board members reviewed the Treasurer's Report for the prior month, including checks written, monthly receipts, and cash summary sheet. *Motion by Dave Leach to approve the Treasurer's Report and financials; motion seconded by Andy Gansberg. None opposed. MC*

**Public Comments:** Town Board member, Andy Gansberg, recused himself from the board table and presented the following comments to the remaining board members: Andy stated that if the town board decides to exempt Mathy/American Materials from the non-metallic mining licensing requirements, then the board should consider exempting all existing operations; the board could still adopt the ordinance, and Mr. Dunst could write the language to amend the licensing ordinance; the board would still have up to six months to work on and adopt amendments before any operation would be in violation; and the town could lift the moratorium and allow the Chippewa Concrete proposal to proceed. Further, Andy stated that the board should table the blasting ordinance at this time since the town will have enough to do with upcoming mining agreements; the revisions have not yet been reviewed; and it may need some work. Andy also recommended that the board invite the existing mine to a workgroup meeting to discuss what would and would not work in the blasting ordinance for them and other mine operations if they come to the town.

**Business:** Agenda items were discussed and/or acted upon as follows:

- (a) Discuss and take action on attorney representation proposal from Bakke Norman to represent town with respect to nonmetallic mining related ordinances. Contract reviewed. *Motion by Deb Gotlibson to approve the attorney representation agreement as presented; motion seconded by Doug Miller. None opposed. MC*
- (b) Discuss and take action on possible revisions to proposed non-metallic mining operator's licensing ordinance relating to exempting currently permitted construction aggregate sites. Supervisor 2, Andy Gansberg, abstained and recused himself from discussion and action. Attorney Dunst explained that the one major revision presented, sometimes referred to as "grandfathering," added an exemption for a plant producing ready mix or asphalt; the effect of approving the revision would only grandfather the asphalt plant and concrete plant, not a mine site, rail facility, etc.; and any existing mine site would still need to comply with the licensing ordinance. Discussion had by remaining board members. *Motion by Ron Robelia to approve the revised language to exempt just asphalt and concrete sites/construction aggregate sites and to continue to work on the licensing ordinance if necessary; motion seconded by Doug Miller. None opposed. Motion carried on majority vote of 4 to 0 with Supervisor 2 abstaining.*
- (c) Discuss and take action on enactment of:
  - (1) Non-metallic mining operator's licensing ordinance; Supervisor 2, Andy Gansberg, abstained and recused himself from discussion and action. Discussion had by remaining board members. *Motion by Dave Leach to enact the non-metallic mining operator's licensing ordinance with amendments as shown on document presented; motion seconded by Doug Miller. None opposed. Motion carried on majority vote of 4 to 0 with Supervisor 2 abstaining.*
  - (2) Blasting ordinance. Supervisor 2, Andy Gansberg, abstained and recused himself from discussion and action. Discussion had by remaining board members. *Motion by Doug Miller to table matter until next month; motion seconded by Deb Gotlibson. None opposed. Motion carried on a majority vote of 4 to 0 with Supervisor 2 abstaining.*

- (3) Weight limits ordinance; Discussion had. *Motion by Andy Gansberg to enact the Weight Limits Ordinance; motion seconded by Doug Miller. None opposed.* MC
- (4) Schedule of fees and forfeitures. Supervisor 2, Andy Gansberg, abstained and recused himself from discussion and action. Discussion had by remaining board members. *Motion by Deb Gotlibson to enact Schedule of Fees and Forfeitures Ordinance; motion seconded by Dave Leach. None opposed.* Motion carried by majority vote of 4 to 0 with Supervisor 2 abstaining.
- (d) Discuss and take action on possible withdrawal of moratorium as it relates to nonmetallic mining. Supervisor 2, Andy Gansberg, abstained and recused himself from discussion and action. Discussion had by remaining board members. *Motion by Deb Gotlibson to withdraw the moratorium effective on the date of publication of the enacted non-metallic mining operator's licensing ordinance; motion seconded by Doug Miller. None opposed.* Motion carried by a majority vote of 4 to 0 with Supervisor 2 abstaining.
- (e) Discuss and take action on formation of review committee to work on nonmetallic mining proposals. Discussion had. *Motion by Doug Miller to table matter and discuss at workgroup meeting with proper notice and notice language; motion seconded by Dave Leach. None opposed.* MC
- (f) Set next workgroup meeting date to work on mining-related ordinances and/or documents, contracts for appointed Clerk and Treasurer, and review of revisions of the proposed Dunn Co. Zoning Ordinance. Workgroup meeting set for Monday, March 25, 2013, at 6:00 p.m. at the town hall.
- (g) Discuss and take action on request of Chippewa Concrete to open a temporary ready-mix plant on the American Materials site on 628<sup>th</sup> Avenue for a two-year period. Barry Bohman appeared on behalf of Chippewa Concrete and handed out paperwork to board members. He explained that their operation would handle a job specific project on I-94 at the Red Cedar River which should take one year. Attorney Dunst suggested that the Town Chairman, with the Clerk assisting, work with the company to come up with a developer's agreement. Mr. Bohman indicated that his company does not object. *Motion by Andy Gansberg to have the Town Chairman work with Chippewa Concrete to put together a developer's agreement for review by Attorney Dunst; motion seconded by Doug Miller. None opposed.* MC
- (h) Discuss and take action on letter from DKS Construction requesting that they be removed from the "No Sell List" for the county to bill the town for materials purchased. Dale from DKS appeared and spoke to the board. Discussion had. *Motion by Deb Gotlibson to remove DKS from the county "No Sell List" provided that (1) DKS immediately clear their outstanding balance in the amount of \$50.46; and (2) DKS pay all future balances due within 30 days of the date of invoice or this issue will be brought back before the board for further action; motion seconded by Doug Miller. None opposed.* MC
- (i) Adopt Employee Handbook. *Motion by Deb Gotlibson to adopt the Employee Handbook; motion seconded by Dave Leach. None opposed.* MC
- (j) Update on town hall construction and remodeling. Discussion had. *No action taken.*
- (k) Review 2012 Financial Statement to be presented and approved at the annual meeting. Financial Statement reviewed by the board, and it will be on the April agenda for final review prior to annual meeting. *No action taken.*

**Patrolman's Report:** Road work – part-time employee, TONY GOVIN, informed the board on projects worked on for the month as follows: *snow plowing; salt/sand supply running low; plow is worn out and may have to be fixed or replaced.*

**Building Permits and Fire Calls:** The following building permits and/or fire calls were brought before the board:

- (a) Fire Call – Holden, E6199 550<sup>th</sup> Ave., silo fire, \$1,228.69. Bill and reports reviewed. Discussion had. *Motion by Doug Miller to declare this fire call a "non-negligent" fire and bill the owner \$250.00 as per ordinance; motion seconded by Deb Gotlibson. Andy Gansberg and Dave Leach opposed. Ron Robelia in favor.* Motion carried on a majority vote of 3 to 2.

**Correspondence, Communications, and Announcements:** Announcements were made, and communications and any recent correspondence received were brought before the Board by the Clerk, Treasurer, and/or Town Officers. *There was no discussion or action taken on the following correspondence, communications, and announcements:*

- Clerk – informed board of annual meeting on April 16, 2013 (3<sup>rd</sup> Tuesday); election on April 2<sup>nd</sup>; Dunn Co. Watershed Conf. on March 14<sup>th</sup>; Jill and Cheryl will be attending an all-day MTAW and WMCA conference in Spooner on March 15<sup>th</sup>; handed out activity report from Weber Inspections and UW-Extension annual meeting info. sheet.
- Treasurer – informed board of need to collect delinquent personal property taxes due, and Chairman to contact parties prior to further action.
- Chairman – informed board of repair bill for ice damage to town shop.
- Supervisor 1 – handed out proposed town hall rental agreement.

**Upcoming Agenda Items:** Upcoming Agenda items, if any, were discussed for inclusion or exclusion at next month's meeting.

- *Town hall rental agreement*

**Claims to be Approved:** Monthly and upcoming CLAIMS and PER DIEMS were brought before the board for review and discussion. *Motion by Deb Gotlibson to approve the claims and per diems as presented; motion seconded by Doug Miller. None opposed. MC*

**Next Meeting:** The next monthly town board meeting was set for *Monday, April 8, 2013 at 7:00 p.m.*

**Adjourn:** Said meeting was adjourned at 9:03 p.m. *on motion of Deb Gotlibson; second by Doug Miller.*

Date:

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Cheryl Miller, Clerk *(subject to Town Board approval at subsequent month's regular meeting)*