

June 17, 2014

Chairman Bryce Black called the regular Town Board meeting to order at 6:37 p.m. at the Frankfort Town Hall on Tuesday, June 17, 2014.

Board members present were Bryce Black, Curt Stine, Donna Juleff and Kay Hamilton. Town officials Maureen Manore and Tina Bee were present. Denny Richardson arrived at 6:41.

Also attending were Ed Saas, Jason Unser, Steve Berger, Ron Hendrickson, Cathy Hendrickson, Charles B. Thomas, Dean Antilla, Lily Arbore, Jim Schiller, Carol Inderieden, Bruce Peterson, Hubert Bauer, Micheal Roberts, Sally Baecker and Attorney Brian Nodolf.

#### Minutes

The minutes from the May 13<sup>th</sup> meeting were read. Denny Richardson made a motion to accept the minutes and Kay Hamilton seconded. The motion carried.

#### Financial Report

Treasurer's report for May was read. The ending balance was \$99,886.16. Kay Hamilton made a motion to accept the Treasurer's report and Curt Stine seconded. The motion carried.

#### Town Insurance Agent

Rural Mutual Insurance Agent Steve Berger reviewed and explained the Town's Business Owners Policy and Workman's Comp Policy. He was asked to switch the billing for the Business Owners Policy to annual instead of the current monthly billing. He agreed to do this.

#### Citizen's Concerns

Hubert Bauer requested that the Board conduct a fence viewing on the boundary between his land and that of Troy Tabor. The two neighbors have been unable to reach agreement on their own. Denny Richardson and Donna Juleff will conduct the fence viewing and make a legal determination of how the work and expense of fencing will be divided between the two parties. A formal notice will be sent informing both parties of the date and time of the viewing.

Mike Roberts stated that he removed a tree which had fallen across Anderson Lane. He said he appreciated the fill for his ditch (which the county road crew had removed from nearby Town road ditches and needed a place to put). He added that someone was dragging mud onto the road with their vehicle tires from the swampy area at the intersection of Elk Creek and Beaver Slide Road. He also stated that he was opposed to the proposed ATV route in the Town as it would create dust and road destruction.

Tina Bee relayed Brian Bee's question of when the road ditches will be mowed. The roads are usually mowed once a year; the Board did not know when it would be done.

#### ATV Route Ordinance

Bryce Black asked for a show of hands of citizens attending the meeting that were against the ATV route. Everyone except the ATV Club members, Bruce Peterson and Attorney Brain Nodolf raised their hands. (Steve Berger was no longer present).

Jason Unser, Vice-president of the Pepin County ATV/UTV Club, spoke about the ATV route that they hoped to have in the Town of Frankfort. He stated that these would be routes not trails and routes stay on the roads.

There were many comments from those attending which included the following:

- It will be not just the ATV Club using the route, it will be open to outsiders.
- ATVs are not made for use on paved roads.
- Goat Back Road is narrow, poorly maintained, has narrow shoulders, is winding, has 22 blind approaches and a lot of farm machinery traffic. Safety is a major concern.
- Some residences are close to the road and noise will be an issue.
- Elk Creek Road is too narrow to allow for ATV traffic. The ATVs may ride in packs. There is no upside in allowing the ATV route.

- The intersection of Elk Creek and Beaver Slide is dangerous.
- There are numerous blind spots on Boyd Springs Road and Goat Back and many fast cars making it dangerous.
- Policing will be an issue.
- The Hogback intersection is dangerous.
- How is the speed limit decided? 45 mph seems excessive, there will be racing and people from cities ignorant of farm vehicles.
- The steep, winding upper end of Bear Pen Road is a concern.
- Allowing this would go against the Comprehensive Plan's design for a rural community.
- ATVs anger and annoy buffalo; if buffalo get out of their fence and on the road, they could attack ATV riders.

The Board discussed the ATV route. Bryce Black had submitted a letter to the editor in the Courier Wedge to inform the citizens of the proposal and had contacted several people along the proposed route. He also spoke to WTA Attorney Carol Nawrocki about liability concerns and the Town's responsibility to put up the route signs. Carol said that if there are signs missing or damaged the Town could be liable. Bryce also spoke to Dan Fedderly, Chair of the Town of Sherman in Dunn County, asking his opinion on town ATV routes. The Town of Sherman allows for ATVs only on prescribed routes and requires that they pay for the signs and any road damages. Denny Richardson said that he has spoken to many people that were in favor of the route. Curt Stine explained the ATV ordinance he drafted. Bryce Black said that he would like to include language that provides that the ordinance can be rescinded at any time and that it would be reviewed in one year. Bryce also suggested that the board should consider requiring the ATV Club to get the signatures of at least 50% of the people living along the route who would approve of the route. Donna Juleff made a motion to table the ordinance for further study and to communicate with the ATV Club about signage and roads and citizen's concerns. Curt Stine seconded and the motion carried.

#### Report on Other Meetings Attended

The Town hosted an All Towns meeting on May 27<sup>th</sup>. The meeting was attended by representatives from the surrounding towns, the Maiden Rock area and Pepin County Zoning Director, Maria Holl. The topics of discussion were Land Use Updates and Economic Development. There will be a seminar in Menomonie on June 24<sup>th</sup> on the WDNR's role in regulating industrial sand mining. Bryce Black plans to attend.

#### Mining Agreement Report

Attorney Brian Nodolf stated that the Bechel mine plans for now to continue their open pit mining operation. They have decided not to change their mining operation to horizontal tunneling in the near future and are aware that any change in their mining operation will require the Town's involvement. He also stated that the well driller did go out to the residence of Cindy Schlosser and Walter Sitka to attempt to install a water filter. The well driller was not comfortable that the filter would work with the current plumbing configuration. He can install it if changes are made to the plumbing system.

Brian Nodolf also stated that the mine's Annual Report will be out in the first part of July.

The Board asked when the berm will be mowed and when the fencing will resume. Brian Nodolf will find out this information.

#### Mining Agreement Well Testing

Bryce Black has contacted Scott McCurdy of Cedar Corp. to find out the status of the well testing. On June 6<sup>th</sup> there were 12 wells sampled. John Ryan's well was not tested as he is not in residence and the water is shut off. The samples were sent to a lab for analysis and the results should be available in a few days.

#### Road Reports

Denny Richardson talked to Doug Gruber of the Pepin County Highway Department about the progress of the road maintenance. Doug Gruber said that the gravel and grading has been done on Gano Lane, Gates Hill Road, Gilbert Lane and Goat Back Road. Crack filling was done on Byington Road and Bear Pen Road.

Bryce Black contacted John Hanz of the Pepin County Highway Department about the bidding process for the asphalt purchase for the Bear Pen Road project. John Hanz sent the bid request notice to the Courier Wedge on June 17<sup>th</sup> to be published for 2 weeks. Bryce Black also spoke to highway engineer Dan Fedderly about certifying the project. Dan Fedderly said that he could do it for approximately \$200.00 - \$300.00.

It was decided to have the bridge on Swede Ramble inspected while the bridge inspectors are in Pepin County. Bryce Black will inform John Hanz.

Bryce Black offered Brad and Sarah Sabelko that the Town would cut down the dying silver maple tree in the Cut Off Road right of way if they would dispose of it once it was down. They agreed to this.

Denny Richardson said that Greg Baecker is farming right up to the road on Bear Pen.

#### Emergency Management Procedure Draft

Kay Hamilton handed out a draft of emergency management procedures for the Board to examine and explained the reason for the procedures.

#### Pay Bills

The Town bills were reviewed and paid.

The next board meeting was set for July 8, 2014 at 6:30 p.m. at the Frankfort Town Hall. The Town Board meeting agenda will cover: Town Board Minutes, Financial Report, Citizen's Concerns, Report on Other Meetings Attended, Plan Commission Report, Mining Agreement Report, Mining Agreement Well Testing, Road Reports, Emergency Management and pay bills.

Donna Juleff made a motion to adjourn the meeting and Kay Hamilton seconded.

Time 10:05 p.m.

Maureen Manore, Clerk