

Public Hearing  
Proposed Issuance of Variable Rate Demand Industrial  
Development Revenue Bonds in an Aggregate Amount Not to Exceed \$3,500,000  
For River Steel, Inc. and Bennu, LLC

May 1, 2007

Hearing called to order at 7:15 p.m. by President Manthei. Trustees present: Engel, Hanson, Harold, Leicht, and Wehrs. Excused: Hoffman. Also present: Matt Perenchio, Dennis Abbott, Tim Brennan, Gloria Brennan, and Teresa Schnitzler.

This hearing pertains to the proposed issuance of Village of West Salem, Wisconsin, variable rate demand industrial development revenue bonds, series 2007 (River Steel, Inc. Project), in an aggregate amount not to exceed \$3,500,000, pursuant to Section 66.1103 of the Wisconsin State Statutes, to finance a project to be owned or operated by River Steel, Inc., an Iowa corporation, and Bennu, LLC, a Wisconsin limited liability company.

There were no citizens present to speak for or against the proposed bond issuance.

Motion by Trustee Leicht, seconded by Trustee Wehrs to adjourn the public hearing at 7:19 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator

Regular Board Meeting

May 1, 2007

Meeting called to order at 7:30 p.m. by President Manthei. Trustees present: Engel, Hanson, Harold, Leicht, and Wehrs. Excused: Hoffman. Also present: Liz Staff, Allison Van Riper, Matt Perenchio, Dennis Abbott, Tim Brennan, Gloria Brennan, Wade Peterson, and Teresa Schnitzler.

Minutes

Motion by Trustee Harold, seconded by Trustee Engel to approve the minutes of the April 17, 2007, Regular Board meeting as written. Roll call vote: Unanimous aye.

Claims

Claims from the following funds were presented for payment:

General Fund: \$65,612.43

Water Utility: \$32,762.79

Sewer Utility: \$44,856.05

Motion by Trustee Engel, seconded by Trustee Leicht to approve the payment of all claims as listed. Roll call vote: Unanimous aye.

Resolution 3.07 Final Resolution Regarding Industrial Development Revenue Bonds

Motion by Trustee Engel, seconded by Trustee Wehrs to approve Resolution 3.07 regarding industrial development revenue bond financing for River Steel, Inc. as presented. Roll call vote: Unanimous aye.

Temporary Class "B" License Application

Motion by Trustee Leicht, seconded by Trustee Harold to approve a Temporary Class "B" License request for the West Salem Volunteer Fire Department for the annual firefighters dance on May 5 and May 6, 2007. Roll call vote: Unanimous aye.

Temporary Class "B" License Applications and Operator's Licenses

Motion by Trustee Harold, seconded by Trustee Leicht to approve Temporary Class "B" Licenses for June Dairy Days June 1 through June 3, 2007, and Temporary Operator's Licenses for Rob Molling, Lisa Brickl, Mark Powell, Nancy Brown, Tim Degenhardt, Duane Luethe, Herb Aleckson, Vicki Degenhardt, Mike Adams, John Schmaltz, John Hendricks, Jim Becker, Norman Rowe, Brian Ferris, Duane Thomas, Chase Miller, Joe Belling, Terri Lenselink, and Marvin Lehmann. Roll call vote: Unanimous aye.

Temporary Operator's Licenses

Motion by Trustee Wehrs, seconded by Trustee Engel to approve temporary operator's licenses for Glen A. Bass, Victor J. Czajka, Michael J. Freybler, Dave Hemker, Dave Rudesill, and David Weber for the annual West Salem Volunteer Fire Department firefighters dance. Roll call vote: Unanimous aye.

Award of Bid for Downtown Alley Project

Bids were received for reconstruction of the alley running north and south between South Leonard Street and South Youlon Street as follows:

McHugh Excavating	\$52,068.95
Fowler and Hammer	\$53,283.10
Steiger Construction	\$40,383.96
Chippewa Construction	\$57,728.25

Motion by Trustee Engel, seconded by Trustee Leicht to award the downtown alley reconstruction project to the low bidder Steiger Construction in the amount of \$40,383.96. Roll call vote: Unanimous aye.

Award of Bid for Mill/Rhyme Street Sidewalk Projects

Bids were received for installation of sidewalk on both sides of North Mill and Rhyme Streets as follows:

Boscobel Excavating	\$41,601.00
McHugh Excavating	\$52,396.50

Fowler and Hammer	\$47,513.71
Steiger Construction	\$47,231.00
Chippewa Construction	\$74,307.00

Motion by Trustee Leicht, seconded by Trustee Harold to award the Mill/Rhyme Streets sidewalk installation project to the low bidder Boscobel Excavating in the amount of \$41,601.00. Roll call vote: Unanimous aye.

Award of Wagon Drive Sidewalk Project

Bids were received for installation of sidewalk on both sides of the northern most portion of Wagon Drive as follows:

Boscobel Excavating	\$36,258.75
McHugh Excavating	\$47,113.80
Fowler and Hammer	\$44,734.12
Steiger Construction	\$40,903.80
Chippewa Construction	\$65,413.75

Motion by Trustee Leicht, seconded by Trustee Harold to delay the Wagon Drive sidewalk installation project until 2008 or later. Roll call vote: Unanimous aye.

Official Depository Bank Designation

Village Ordinances require an official depository bank be designated by the Board of Trustees on an annual basis. Trustee Harold stated although Union State Bank has performed its services to the Village well, she requested the Board keep an open mind and consider the other banks in West Salem as the official depository in the future.

Motion by Trustee Engel, seconded by Trustee Wehrs to retain Union State Bank as the official bank depository for the Village of West Salem. Roll call vote: Unanimous aye.

Utilities Committee

Trustee Engel reported on the April 24, 2007, Utilities Committee meeting. Chairperson Engel presented the Committee and representatives of La Crosse Area Builders Association with a timeline to adoption of the West Salem Water Impact Fee. On October 7, 2005, a letter was received from the Wisconsin Department of Natural Resources noting significant deficiencies in water storage capacity and lack of iron removal treatment on Wells 2 and 3. A compliance due date of October 1, 2008, was mandated with Code Citation NR811.56 reported. The Utilities Committee met on several occasions to review and discuss the Department of Natural Resources mandates and to review financing and construction options for a new water reservoir and for iron filtration. Engineers Foth, Infrastructure prepared a Water Storage System Feasibility Study, and the Utilities Committee advised Foth to move forward with impact fee cost allocation. The Village Board of Trustees reviewed the feasibility study and impact fee cost allocation and scheduled a public hearing on a water system impact fee ordinance for Tuesday, February 6, 2007. No citizens were present to speak for or against the proposed ordinance, and the Village Board unanimously approved the water system impact fee ordinance. Eve Zellmer, President of the La Crosse Area Builders Association, expressed the Association's concerns regarding the adopted impact fees and portions of the water storage feasibility study. The Association questioned the

growth numbers used in the study, allocations for engineering, legal, and administration fees, and felt the iron filtration and water storage situations were present prior to the recent residential and business developments. The Association requested the Village review Section 3.4 of the feasibility study regarding the estimates of probable capital costs, determine how the anticipated growth figures were calculated, and consider tabling the collection of impact fees until actual construction costs are known.

Public Works Director Wade Peterson presented background information regarding the Faye Drive storm sewer easement. Kurt Pfuhl contacted Mr. Peterson with concerns about the storm water and erosion damage taking place at the Faye Drive storm water discharge area behind his residence. An Agreement effective July 17, 1990, between Joseph and Faye Harter and the Village of West Salem addresses in part the storm water system extension. The Agreement states that developers Joseph and Faye Harter will continue to be responsible for that part of the storm sewer system extension beyond that which is piped being the open ditch portion on property located behind the Pfuhl residence. At that time, the developers agreed to rip-rap said ditch a distance of at least 100 feet from the pipe outfall, and if experience later establishes that such plans are not adequate to prevent erosion of the remainder of the open ditch to the La Crosse River, the developers agreed they would be responsible to correct the erosion problems and that this obligation will survive and continue regardless of transfer of title to said lands by any means. Gerald O'Flaherty, Attorney for Faye Harter, wrote a letter to Mr. Peterson requesting the Village proceed and develop a plan of remediation on behalf of Faye Harter. Representatives of Faye Harter, Sally McCann and Danny Carr, stated the initial riprapping was completed pursuant to the terms of the original Agreement. The open ditch was originally designed only for Faye Drive, but now water also reaches the ditch from Brickl Road and the Twin Oaks Development. Engineer Dean Olson has reviewed the ongoing erosion issues. The existing 36-inch storm sewer pipe originally discharged to a swale in the area that ultimately discharged to the La Crosse River. Over time, the flows have eroded the base and banks of the swale. Mr. Olson stated a common practice to reduce erosion is to create a body of water to slow the flowing water. Mr. Olson suggested using a series of riprap check dams across the swale that will temporarily cause water to pond but also allow the water to flow through a controlled release area away from the banks. The check dams would be constructed with the top of the downstream weir at the same elevation as the base of the upstream dam, causing a step-like profile of the swale bed. Mr. Olson presented a preliminary opinion of the costs required to implement this plan in the amount of \$51,854. Mr. Olson stated survey work needs to be done, however, in order to determine a more firm cost to correct the erosion issues, and he felt a total cost of \$1,000 would take care of the required survey work. Sally McCann and Danny Carr agreed to take Mr. Olson's plan and costs to their mother, Faye Harter. If Mrs. Harter agrees to pay for the necessary costs of construction and surveying, the family would like to be released from all future responsibility for the storm sewer system. The Committee recommends Mr. Olson complete the necessary survey work in order to firm up estimated costs to correct the erosion control issues.

Motion by Trustee Engel, seconded by Trustee Leicht to approve the minutes of the Utilities Committee meeting of April 24, 2007. Roll call vote: Unanimous aye.

### Law Enforcement Committee

Trustee Wehrs reported on the April 25, 2007, Law Enforcement Committee meeting. The purpose of the meeting was to prepare a new offer to present to the West Salem Police Union to begin new negotiations. In closed session, the Committee agreed on a new offer to the Police Union.

Motion by Trustee Wehrs, seconded by Trustee Leicht to approve the minutes of the Law Enforcement Committee meeting of April 25, 2007. Roll call vote: Unanimous aye.

### Boundary Agreement Initial Meeting of April 19, 2007

President Manthei updated the Board on the meeting held with the Town of Hamilton, City of Onalaska, and the Village on April 19, 2007, to discuss boundary agreements and each municipality's interest in development along the Highway 16 corridor. The meeting lasted approximately an hour and a half, and preliminary discussions took place regarding boundary agreements. La Crosse County Planner Charlie Handy and La Crosse County Community Development Specialist Brian Fukuda were in attendance to assist the three municipalities. The next meeting is scheduled for Tuesday, May 15, 2007, and President Manthei anticipates agreements regarding water and sewer utilities and boundary lines will result from these meetings.

### West Salem: America's Top 100 Places to Live

Relocate-America.com recently released its annual list of "America's Top 100 Places to Live", and West Salem is among those communities to receive the distinction. The list is compiled annually and provides relocating consumers access to resources for their next move. Communities are nominated via the website, and Relocate-America evaluates the submissions based on forty factors. West Salem was among more than 2,000 communities nominated.

Motion by Trustee Engel, seconded by Trustee Leicht to adjourn the meeting at 8:10 p.m. Approved by voice vote.

Teresa L. Schnitzler, Village Administrator