

**MINUTES OF THE OUTAGAMIE COUNTY DRAINAGE BOARD
JULY 5, 2017**

MEMBERS PRESENT: Kramer, Nettekoven, Van Eperen, Vander Heiden, Van Asten,

OTHERS PRESENT: Nancy Christensen, Administrative Assistant; Greg Baneck, Land Conservation Department; Harland Volkman, Town of Osborn; Bob Givens, Omni Associates; John Neumeier, City of Kaukauna

Minutes of June 6, 2017 - Van Asten moved, seconded by Vander Heiden to approve the minutes as presented. Roll call: 5 aye, 0 nay. Motion carried.

Land Conservation Department Report

Greg Baneck reported inspections of all the districts were completed on Monday. The Chapter 30 Permit for dredging in the Center Valley Drainage District from County Road S to Center Valley Road was submitted to the DNR for their review and approval.

Summer Intern Luke Hickey is working on profiles and should be finishing current outstanding projects. It was suggested the culvert on 12 Corners needs to be enlarged and flows should be calculated for the correct diameter needed. This job needs to be looked at and discuss with Town of Center. The suggestion of installing it at an angle, and using a squashed culvert should be considered.

North Liberty District – areas were sprayed where it wasn't able to be reached previously.

Duck Creek Annexation – Bob Givens - DNR and Corps will meet with the Board in August. Discussion was held on what the Board wanted to get out of the meeting. Items to be considered were: How to get the water into the main ditch and not flood the property owners. Include study of Ballard Road how it's effecting the deterioration of the road. What is the correct level of the swamp. We want to return to original level of ditch by cleaning out the sediment.

What some of the problems if nothing is done: Town of Osborn – deteriorating roads, cross drains, and ditches on Ballard, Kropp, Culbertson, French Roads. Loss of crop land, loss of trees. If the project is done correctly, it will control the water going into the swamp and keep at correct level. Regulate with DNR. Currently, farmers are using pumps over dikes to remove the excess water from their properties. We/DNR would have control over buffers which controls erosion. Sediment control would improve significantly.

Concerns: if the road continues to deteriorate, and if Ballard Road was closed it would not allow access to property owners. Eliminating emergency access creating an additional half hour response time.

Archeological and endangered species issues – the Board should request DNR to do research now

Wildenberg Estates – New homes are being constructed and no silt fencing/erosion control was in place resulting in sediment being washed into the corridor and ditch. We have no policing powers on violations, but the City of Kaukauna does have jurisdiction. The Drainage Board will work with the City of Kaukauna to enforce future construction practices. It was also noted the

north side of the corridor ditch was too steep. If Drainage Board would regrade the north slope, the City of Kaukauna can require landowners to maintain and mow easement. (Alyssa to Haen Road)

Van Asten moved, seconded by Nettenkoven, to contract with an excavator to correct the slope of the easement and seed area. Roll call: 5 aye, 0 nay. Motion carried.

Amberwood/Bentwood – Van Eperen reported Grand Chute is using sedimentation ponds and not an additional pipe to regulate water flow into ditch. Kramer will contact them to discuss timeline for the Drainage Board to complete the ditching on Casaloma Drive and what the elevation status is.

Senate Bill 653 – status report – Proposed final draft of LRB0475 –no action by State Legislators

DATCP Email of 10-12-16 regarding Inspection Corridor/Buffer Policy – effective date of policy – Next meeting

Insurance coverage of vendor and use of DB equipment – next meeting

Inspections Report

Duck Creek - Ralph Volkman – would like to place additional stone/concrete in ditch. He is not in a wetland and would not require any permits. He can maintain his portion of the ditch but any additional cleaning out of the ditch needs to be completed by an authorized excavator through the Drainage Board.

Center Valley District – Kramer contacted Mrs. Biese and she will not allow anything or a ditch be placed on her property. Drainage from Hample would have to go through the woods, which is a wetland, or across the Clark Schabo property.

Center/Grand Chute – Kohl property between A and railroad tracks crossing needs maintenance. Could install a stone crossing. If culverts are used, limited weight access would need to be maintained. Kramer will contact Mr. Kohl to see what they would agree to.

Several other crossings needs to be addressed in the same area. Baneck will have the intern look at the culvert sizing required.

CLOSED SESSION

Van Asten moved, seconded by Vander Heiden to convene into Closed Session per WI State Statute 19.85. “ (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.” to discuss Center Valley District – Co Rd A/S – Dale Richley property – legal action status and legal counsel advice. Roll call: 5 aye – Kramer, Nettekoven, Van Eperen, Van Asten, Vander Heiden; 0 nay. Motion carried.

Van Asten moved, seconded by Nettekoven to re-convene into Open Session of the Outagamie County Drainage Board. Roll call: 5 aye – Kramer, Nettekoven, Van Eperen, Van Asten, Vander Heiden; 0 nay. Motion carried.

Van Asten moved, seconded by Vander Heiden to approve the response letter presented by Attorney Kent regarding the petition for board action and to forward the same to Mr. Richley

and Attorney Jelinski. Roll call: 5 aye – Kramer, Nettekoven, Van Eperen, Van Asten, Vander Heiden; 0 nay. Motion carried.

Van Asten moved, seconded by Van Eperen to approve the response letter presented by Attorney Kent regarding Allegations by Mr. Richley and to forward the same to Mr. Richley and Attorney Jelinski. Roll call: 5 aye – Kramer, Nettekoven, Van Eperen, Van Asten, Vander Heiden; 0 nay. Motion carried.

Nettekoven moved, seconded by Van Asten to deny the Notice of Claim as filed by Mr. Richley, dated May 25, 2017, and Mr. Richley and Attorney Jelinski be notified by certified mail. Roll call: 5 aye – Kramer, Nettekoven, Van Eperen, Van Asten, Vander Heiden; 0 nay. Motion carried.

Review of Invoices – The Financial Report was reviewed.

The next meeting will be Tuesday, August 1, 2017 at 8:30 a.m. at the Outagamie County Highway Department.

Van Asten moved, seconded by Vander Heiden to adjourn at 10:46 a.m.

Respectfully submitted,

Nancy J. Christensen
Administrative Assistant