

MINUTES OF THE OUTAGAMIE COUNTY DRAINAGE BOARD
October 3, 2017

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

MEMBERS ABSENT:

OTHERS PRESENT: Nancy Christensen, Administrative Assistant; Greg Baneck, Jeremy Freund, Land Conservation Department; Harland Volkman, Town of Osborn; Mike Jansen; Sean Bekx, Bob Givens – Omni Associates

The Board meeting was called to order at 8:30 a.m. by President Kramer.

Minutes of September 5, 2017 – Van Asten moved, seconded by Nettekoven to approve the minutes as presented. Roll call: 5 aye, 0 nay. Motion carried.

LCD Report– Baneck will be compiling Vandebroek District Chapter 30 permit within the next week and submitting to DNR.

Baneck reported spraying has occurred in every district. Oneida-Hobart – done, Freedom- done, Center-Grand Chute is 50% complete, Center Valley, and Vandebroek Districts still need work. Duck Creek is % 40% done, N Liberty 50% done, Black Creek/Bovina – need to get by gun range, would like to request to be closed for 1 hour, still have a couple of weeks weather permitting.

Jeremy Freund – City of Kaukauna, 2008/09 a re-assessment was completed, they created a stormwater utility. Special Assessment (SA) was based on ERUs, and they agreed to clean out 3,300 feet in dog park area to Highway 55. Value of work was based on \$15,570. Last year paid SA was in 2011. Since 2012 City of Kaukauna has been submitting ERU report. \$5.00 per ERU. 2012-2015 no special assessment charged. 2016, report indicated more land went to storm water ponds. Based on a balance of \$8,200, they would have credit for approximately 5 years based on \$1,500 per year.

OLD BUSINESS

Amberwood and Bentwood Estates – Matt Woodard, DATCP and Freund, LCD, did an on-site last week. There are a few trees that need to come down yet and Timber Creek has been contacted. All equipment has been removed. Ken Olson should be contacted to view the project so it can be completed this fall.

There is a discrepancy with the pipe elevation on the south side, north end. Matt needs to be informed of this to check what is correct.

Center Valley District – legal issue – the attorneys are discussing issue, no decision. Baneck suggested we meet with Koehnke on site to discuss removal of remaining trees. Kramer will contact the attorney to see how we should proceed.

REQUEST TO PLACE A BRIDGE/CROSSING OVER DRAINAGE DITCH AT EMERY LANE – VANDENBROEK DISTRICT

Mike Jansen, Emery Lane, (contact info: unclesleo@new.rr.com / 920-585-7683) is requesting to place a bridge over the existing drainage ditch on Parcel #051207 to 051314, bridge would have to be able to be removed if ditch cleaning is necessary. If bridge falls into the ditch, the owner would be responsible to remove bridge. A clear span type bridge would be allowed. Chapter 30 permit specs would need to be met; a DNR general permit would be required. Kramer will talk to Chris at DATCP. Van Asten moved, seconded by Van Eperen to allow a clear span bridge based on DNR and DATCP approval. The owner would be responsible to repair or remove bridge if maintenance to the ditch is required. The owner would also be required to maintain the bridge. Roll call: 5 aye, 0 nay. Motion carried.

DUCK CREEK ANNEXATION –

Bob Givens and Sean Bekx, Omnni reported on the completed phase of the study. A stream history was researched as requested by DNR. The existing stream history is questionable to the high points. This will be forwarded to Koehnke/DNR. About 1,000 cubic yards should be removed from the ditch. It is recommended that a continuous plan to keep the ditches cleaned in this area. Harland Volkman owns land about 1 mile from Ballard, area is high and not hydric soils. Soils would be worked into existing soils. Omnni feels this is a surface water issue, not a groundwater issue. Land use changes – checked from 1957 thru present, appears some land was taken out of agricultural usage; very little change has occurred in the watershed in the last 60 some years.

100 acres would be needed for a retention pond; not feasible. Dredging east side of Ballard Rd, and survey shots were completed from the middle of the ditch, down. Culverts at the end of Mullen Road may need to be resized larger and elevations checked. There may be funding available from the County for replacement of the culverts with 36" or larger pipe.

Discussion was held on the weir in the legal drainage ditch. The US Army Corp required the weir be set at the original elevation of the swamp. The northwest drainage has been corrected and is currently going to the weir.

Van Asten moved, seconded by Vander Heiden to contract with OMNNI for \$4,000 to profile the cleanout at Ballard Road. Roll call: 5 aye, 0 nay. Motion carried.

Kramer, Nettekoven and Volkman will meet with Town of Black Creek to discuss ditch cleanout/repair and costs.

Discussion was held on making the Ballard Road ditches a lateral, which would then become the responsibility of the Drainage Board to maintain.

AUTHORIZE BUFFER VIOLATION LETTERS AND/OR PENALTIES FROM 2017 INSPECTIONS

Nettekoven moved, seconded by Vander Heiden to send the six repeat violators a penalty fee invoice 10 times the original assessment. They include: Parcels 170166300, 10078800, 090072301, 090068600, 090072303, and 130001400. Roll call: 5 aye, 0 nay. Motion carried.

Nettekoven moved, seconded by Vander Heiden to send violation letters to the parcels on the 2017 Inspection Buffer Violation listing; excluding parcels 090034800 and 090034100 as corrections have been made; Parcel 010054501 and 321109500 will be rechecked by the Board. Roll call: 5 aye, 0 nay. Motion carried.

Discussion was held on:

Parcel 321109500. The parcel is in the City of Kaukauna. Kramer will check parcel to see what the violation entails. No letter will be sent at this time.

Parcel 010054501. Kramer will discuss the violation with Kuehnl prior to sending letter.

Parcel 090034800 and 090034100. Owners have re-established the buffers per Van Asten

APPROVAL OF 2017 ASSESSMENT RATES FOR VARIOUS DISTRICTS

Van Asten moved, seconded by Vander Heiden to approve the special assessment rates for: Black Creek/Bovina - \$6.00 per acre/\$30.00 minimum; Vandebroek - \$3.00 per acre/\$30 minimum for agricultural, Village of Little Chute – Based on ERU Report; Duck Creek - \$3.00 per acre/\$30 minimum; North Liberty - \$5.00 per acre/\$30 minimum; Center Valley - \$5.00 per acre/\$50 minimum. Roll call: 5 aye, 0 nay. Motion carried.

Kramer informed the Board the City of Kaukauna will be holding a public hearing for Wildenberg – North development on Tuesday, Oct 10 at 10:30 a.m.

Village of Little Chute Special Assessment

Christensen reported a reminder email was sent to the Village of Little Chute for the 2016 Special Assessment payment. Little Chute also has not submitted the ERU required annual report for 2016 and 2017 is now due. The Board directed Christensen to check with the Treasurer's office again. If no response received, the Board will make a decision how to proceed.

Financial Report

Financial Reports were provided at the individual district meetings.

Next meeting is Tuesday, November 7 at 8:30 a.m.

Vander Heiden moved, seconded by Van Asten to adjourn at 10:25 am.

Respectfully submitted,

Nancy J. Christensen
Administrative Assistant