

DANE COUNTY DRAINAGE BOARD MEETING
December 31, 2018

Location: Hurley Burish, S.C. Offices, 33 East Main St., Suite 400, Madison WI, 53703

Drainage Boards Members Present: Scott Ringelstetter, Leonard Massie, and Paul Maly (via telephone).

Others Present: John Mitby (Board Attorney), Elizabeth Spencer (Board Attorney), Jerry Derr (Town of Bristol).

District Members present:

District No. 8 Charles Bollig, and Alden Bosben

Meeting called to order by President Scott Ringelstetter at 10:09 am.

Assessments and Notices

- District 4
 - The District is currently under study by the engineers. The report is expected by late March or April.
 - S. Ringelstetter states that no notice should be given for work as, once the report is received, a meeting must be held to discuss how to proceed. At this time the Board is not doing any work in the District but needs an assessment to pay the engineer.
 - L. Massie states that a motion regarding the study occurred in November and that the attorney must also be paid.
 - An assessment of \$15,000 shall be done to cover the engineer's fees and attorney's fees.
- District 7
 - Work should be done on the Leonard Ziegler Bridge on the Leonard Ziegler farm off of County trunk highway P if there is money. The current District balance is \$12,000 but \$20,000 is needed for the bridge costs.
 - An assessment for \$15,000 shall be done to fix the Ziegler Bridge and to provide operating funds.
 - A notice shall be given so that work can be done when the funds become available.
 - Names and parcel numbers are needed for the notice.
- Districts 8 & 9
 - The Districts are currently awaiting the MOU from Sun Prairie. Expected to receive it within two weeks.
 - No assessment shall be made at this time.
 - Notice shall be given to Districts 8 & 9 for general work including clean out, tree removal, and spreading of spoils to occur in 2019 and 2020.
 - The Districts will advertise for bids after receiving an engineer report.

- District 10
 - No repair has been performed on the main where the blowout occurred. This needs to be repaired/patched.
 - No assessment shall be made at this time as the District has funds.
 - Notice shall be given to the land owner in Green County where the work is to be performed. Given that it is emergency work no actual notice is needed.
 - Names and parcel numbers are needed for the notice.
- District 11
 - There is currently only \$212 in the District account and there is an outstanding invoice.
 - An assessment of \$15,000 shall be done.
 - Notice of work shall be given to Barman, Hoffman, and Miller.
 - Names and parcel numbers are needed for the notice.
- District 16
 - Currently the District has an estimate of \$30,000 to replace the lateral into lateral 4 on the Anderson Property. A blowout on an outlet needs to be fixed North of Hammond.
 - An assessment for \$35,000 shall be done to account for the repairs and provide operating funds.
 - Notice shall be provided to Anderson and the two Wilemans.
 - Names and parcel numbers are needed for the notice.
- District 21
 - Brush needs to be removed from the ditch East of N on the Main. Some spoils banks need to be knocked down and clean out by the bridge is needed.
 - An assessment of \$10,000 shall be done for the clean out and to create reserve funds.
 - Notice shall be given to S. Ringelstetter and to Greg Seltzner.
 - Names and parcel numbers are needed for the notice.
- District 22
 - There is about \$14,000 in outstanding bills.
 - An assessment of \$15,000 shall be done to cover outstanding bills.
 - No notice is needed as there is no additional work to be done in the District at this time.
- District 25
 - The District currently has a bid of \$25,000 to clean out trees from the ditch. The District has a balance of \$15,000.
 - An assessment of \$20,000 shall be done for tree removal and reserve funds.
 - Notice for tree removal of 1.5 miles for the west side. This shall likely include up to 4 farms and the Village.
 - Names and parcel numbers are needed for the notice.
- District 27
 - This is in the city of Madison so nothing shall be done.
- District 28
 - Need a possible bid out from Sherman to Marshall. The District has a \$86,000 balance.
 - No assessment shall be done as the District has funds.

- Notice shall be given for a possible bid to be done and work to be done from Sherman Road.
- Names and parcel numbers are needed for the notice.
- District 29
 - Lateral across I by Koltres needs work done.
 - An assessment shall be done for \$10,000.
 - Notice shall be given to the Koltres and Midthun of the work to be performed on the lateral.
 - Names and parcel numbers are needed for the notice.

Reserves

- Attorney Mitby recommends that 5% be added to each proposed assessment to cover other potential fees and operating costs. S. Ringelstetter agreed to add 5% to all assessment amounts rounded to the nearest thousand.

District 8 & 9

- Attorney Mitby shall be receiving the MOU from Sun Prairie and then the engineer will receive the work to be done to determine what portion to bid out. The work to be done relates to the trees, leveling the spoil bank, and cleaning out the ditch.

Chapter 88 Discussion on Revisions

- S. Ringelstetter attended the WADD meeting. Many were concerned about the March 1 notice requirement for all work that is to be done in the year.
- There was discussion regarding the necessity of insurance for Drainage Boards. The state drainage engineer states that no insurance is needed and the county has not given a clear answer on whether the Board is covered by the county's insurance as they are a county entity. Attorney Mitby has contacted Richard Gums to determine what other boards are doing and paying.
- The regulation of the districts and boards may face some changes with the change in state administration and the potential appointment of a new drainage engineer.
- In 2015, the state contacted Judge Remington regarding the dissolution of districts in Dane County. State Drainage Engineer Richard Castelnuovo states that some in District 23 are upset about the potential dissolution. L. Massie states that the residents who are upset must petition the courts so that the Board can return to work in the district. Attorney Mitby provides that the Board needs to write to the court explaining what is occurring and request a date for a hearing. Attorney Mitby shall contact the court regarding the 2015 move to dissolve districts.

Motion

- L. Massie moves to approve the assessment for expenses and reserves as detailed in the Dane County Drainage Assessment needs as of December 19, 2018 and determined at this December 31, 2018 meeting along with the addition of 5% to all assessment amounts rounded to the nearest thousand to ensure adequate reserve funds.
- P. Maly seconds. All in favor. 3-0.

Public Comments

- A. Bosben
 - Regarding Districts 8 & 9 when removing the trees they should not be burned as the soil is peat and burning is not a good idea. L. Massie agrees.
 - Regarding the City of Madison, part of Sun Prairie is in an extraterritorial zone of Madison. Attorney Mitby states that Madison will not be part of the District 8&9 issues.
- C. Bollig
 - Raises concerns regarding holes in Districts 8 & 9. Attorney Mitby states that the engineers will look at it. L. Massie and Attorney Mitby will review old drainage files to see if the reasoning for why certain areas were excluded from the districts is documented.
- J. Derr
 - There needs to be discussion at some point of why some residential lots are excluded from the district. L. Massie states that the Board is reluctant to get into a fight over adding residential lots to the districts as the costs to add the lots to the districts will be greater than the benefits (i.e. assessments) the districts receive.

L. Massie moves to adjourn the meeting. S. Ringelstetter seconds. Meeting adjourned at 11:53 am.