

DANE COUNTY DRAINAGE BOARD MEETING
October 25, 2018

Location: Town of Bristol Hall, 7747 County Road N, Sun Prairie, WI 53590

Drainage Boards Members Present: Scott Ringelstetter, Leonard Massie and Paul Maly

Others Present: John Mitby (Board Attorney), Elizabeth Spencer (Board Attorney), Adam Gallagher (Dane County Treasurer) and Bill Ringelstetter.

District Members present:

District No.4: Dawn Porter, Frederick Porter, Dennis Laufenberg, Annie Tremaine, Al Seltzner, Al Rogers, Bryan Rauls, Delano Tjugum, Doug Tjugum, Grant Gullickson, Diane Ihland, David Ihland, Brett Renk, Deb Adams, Drew Haasch, Jill Preston, Tom Kesselhon, Kris Kesselhon.

District No.8: Jerry Bradley, Alden Bosben, Chuck Bollig, Nick Brattle.

Other: Wayne Wolh (Cottage and Towns).

Attorney John Mitby introduces Dane County Treasurer Adam Gallagher and explains assessment posting and payment procedures. Attorney Mitby also explains the signing of the Annual Reports by Board Member Leonard Massie.

Meeting officially called to order at 6:30 PM by Chairman Scott Ringelstetter.

Reading of minutes from June 25, 2018 meeting. Leonard Massie moves to approve. Second by Paul Maly. MC 3-0. Attorney Mitby explains what "green sheet" is.

Massie moves to assess \$30,000 in costs in District 16 for install drain tuber and replacement of drain tile. Second by Maly. MC 3-0.

Reading of minutes from August 7, 2018 meeting. Massie moves to approve. Second by Maly. MC 3-0.

District No. 7:

- The District needs \$30,000 to replace the bridge on Ziegler field with culvert as currently equipment cannot be brought across the bridge. Previously two assessments for cost were made and as a result the District has \$17,766. Massie states that the District will need at least \$13-15,000 more for the project and that there have been previous issues with people not paying the assessments.
- Massie moves for assessment for cost of \$15,000 to complete funding for the bridge replacement on Ziegler field. Second by Maly. MC 3-0.
- S. Ringelstetter states that he was contacted regarding Highway P being reconstructed by Enchanted Valley Road. The Homeowner there wants a culvert on the south side

of the intersection. The County is in favor of this and Dane County Land and Water wants the Board to approve an action. Discussion over who pays and Attorney Mitby suggests approval of the culvert subject to the County, and not the District, paying.

- Maly moves to approve the construction of a culvert under Highway P to alleviate flooding at Enchanted Valley Road subject to payment of costs by whoever is doing the work. Second by Massie. MC 3-0.

District No. 22:

- The District needs to be assessed to pay back a loan from District 9.
- Massie moves for an assessment of costs of \$6,000 to pay back the loan from District 9. Second by Maly. MC 3-0.

District No. 10:

- Discussion regarding the inspection and the flow of water along with the previous year's assessment of \$4,000. There have been issues with getting information from Green County. Currently, the contractor has yet to complete the \$2,000 worth of work. No assessment will be made at this time.

District No. 16:

- Assessment for cost was addressed earlier in the meeting.

District No. 22:

- No further work to be done. Loan from District 9 addressed earlier in the meeting.

District No. 25:

- Massie explains that there is work to be done on the west end of the ditch as it is filled with fallen trees and brush. S. Ringelstetter received an estimate of \$25,000 to completely clean both sides of the ditch. The contractor can pull out the trees and brush and leave in a pile on the surrounding land for \$13,000 or can pull out the trees and brush and remove it for \$25,000. The District currently has \$17,000.
- Massie moves for assessment for cost of \$15,000. Second by Maly. MC 3-0.

District No. 4:

- Attorney Mitby discusses the survey sent out to the land/home owners after the August 7, 2018 meeting. No engineer has been hired yet.
- Massie introduces an idea not presented at the August 7, 2018 meeting that may lower the costs but result in similar benefits. Massie suggest installing pumps to move the water to the outlets. This will require an annual operating budget and monitoring of the pumps. Additionally, there could be a separation of the surface water from the ground water and operated as a storm water management district with an assignment of costs to deal with the surface water. There is no estimate of how much this would

cost but development could be staged and there could potentially be a deal worked out with the Town of Bristol.

- Regarding the survey and previous suggestions, D. Laufenberg asked where the mentioned cost came from. Attorney Mitby states it was an estimate. D. Laufenberg additionally provides comments in regard to concerns over flooding and the watershed from the housing developments. The detention ponds for the housing developments never seem to be done correctly from the outset. As such there are continual issues and it seems that nothing is ever done to fix them. Concerns were also expressed regarding how those downstream from the District will be affected.
- Massie thinks that there should be an engineering study on what can be done and then have the landowners give approval before moving forward. The Board is welcome to alternatives for fixing the District's issues.
- B. Renk stated that he is not in favor of the pump alternative and more information would be needed in order to talk about it. There is no choice but to get an engineer and he was surprised by the survey as he does not recall it being mentioned at the last meeting. Massie reviews the minutes from the August 7th meeting and Attorney Mitby states that the survey was based on questions from the engineer. The engineer was also the one who provided the estimate for engineering study.
- Attorney Mitby asked for the attendees' views on an engineering study. D. Laufenberg states he is opposed due to the cost. Others express concern on the engineer doing a study which could provide a realistic cost effective solution. Attorney Mitby states that those who provided written answers to the survey and those that provided answers by telephone were in favor of the study with a cost effective solution. Massie suggests arranging a meeting and bringing in the engineering firm to listen to the owners' directions.
- A. Tremaine follows up on what has been done to prevent the issues caused by the developments. Massie states that the town has authority over the developments but that the Board can sue or assess if there is actual evidence of an impact of the developments. Attorney Mitby suggests meeting with the town over these concerns. D. Porter adds that there is an issue with the city just not knowing what goes on the farms. Massie explains the issues with suing the city.
- Attorney Mitby again suggests moving forward with meeting with the engineers to do a study or just do nothing at all. B. Renk states that there should be no additional meeting and they should just go ahead with the study. Tjugum asks whether the cost of the study can be spread more equally among the landowners, and Attorney Mitby affirms that this can be done.
- Maly suggests that they have the engineer meet with the key stakeholders and then put together a study based on those key stakeholders suggestions along with the previous requirements.
- A. Tremaine asks if the homeowners opposed. Attorney Mitby explains the survey results which included homeowners and that if people are upset they may file suit. Massie and Attorney Mitby also explain where there is direct impact lands can be added into the district. Attorney Mitby will contact the town of Bristol and determine the requirement to add other areas into the watershed.
- Massie suggests the action going forward should be to contact the engineer regarding the study, have the key stakeholders meet with the engineer, then draft contract for engineer. Attorney Mitby agrees. Maly supports meeting with the key stakeholders. S.

Ringelstetter agrees that the study is necessary and confirms that the meeting with stakeholders will not cost money.

- Maly moves to meet with the engineer and then go forward with the \$11,000 study. Massie seconds. MC 3-0.
- D. Laufenberg again raises concern with those downstream. Maly states that this will be considered in the study. Maly will provide a list of the key stakeholders to the engineer and Attorney Mitby will send the all received surveys to the engineer.

Corridor Expansion:

- Attorney Mitby explains the changes in the state drainage law last spring that requires an increase in the corridors. Attorney Mitby needs an order from the Board in order for this to move forward.

District No. 8 and No. 9:

- Maly met with contractor Haefner regarding the removal of trees. Haefner will clean out the area around his property at no cost.
- Attorney Mitby explains that he made a proposal to Sun Prairie regarding splitting costs but Sun Prairie has never responded.
- J. Bradley explains the issues with Sun Prairie and their unwillingness to contribute to the laterals, clean up, and tree removal. He states that Sun Prairie should be contributing at least 50% of the costs and up to 75% because of the water output from the creek. They should at least be able to measure the output at TT. He has no issue with the Board litigating this issue if necessary.
- Attorney Mitby suggests noticing a hearing for District No. 8, District No. 9, and Sun Prairie and then making an assessment for costs. S. Ringelstetter agrees. Massie addresses the previous interactions with Sun Prairie and state drainage law.
- Massie moves to assess Sun Prairie for 50% of District No. 8 costs and 70% of District No. 9 costs for the maintenance and repair of the districts going forward. Attorney Mitby shall put together the appropriate assessment resolution. Maly seconds. MC 3-0.
- J. Bradley makes final comment that he is fine with how the work is being done in Districts 8 and 9 and that it is fine that the trees are being removed first followed by rebidding the dredging.

Public Comments:

- Bosben raises concerns over areas of the District 8 map where there are “holes” that are not being assessed. He would like those areas to be double checked to determine if they should be contributing to the District. Specifically Shy Acres is up. Bollig provides maps to Board.

Massie moves to adjourn meeting. Second by Maly. MC 3-0. Meeting adjourned at 8:36 PM.