

DANE COUNTY DRAINAGE BOARD MEETING
August 21, 2019

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

Drainage Board Members Present: Scott Ringelstetter, Leonard Massie, Paul Maly

Others Present: John C. Mitby (Board Attorney) Elizabeth Spencer (Board Attorney), and Bill Ringelstetter.

District Members present:

Badfish District: Wendy LaSchum, Patricia Hill, Roy Spach, Tanner Nystrom, and Jamie White.

Meeting called to order at 6:33 PM by Chairman Scott Ringelstetter.

District 19- Middleton

- L. Massie Inspection of District
 - L. Massie has inspected Wayne Rounds' property along with the rest of the district and drafted a report on its current state.
 - Historically, District 19 operated without the Board through an exception found under the original Ch. 89 of the Wisconsin Statutes that allowed existing districts to operate independently. District 19 maintains an account with approximately \$300. No action has occurred in the District since 2000 and only one member, Wayne Rounds, of its independent board remains. However, the Board would now govern and if challenged in court would likely succeed.
 - L. Massie has spoken with Dane County Land and Water and they would prefer to restore Lake Middleton. The District is currently in poor shape and this could create problems. Current ponding is a result of flooding and plugged ditches. The DNR has complicated the issue by not allowing repairs of some bridges which prevents equipment from crossing.
 - The Board has received a petition from landowners and it would be nice to reach an agreement with the City and Town.
 - There are concerns regarding trout fishing in the area and that the DNR could raise objections.
 - Estimated less than \$100,000 of work could make significant improvements to the area and get the water moving.
 - No profile for the area exists. B. Ringelstetter can do a sample assessment for the area.
- Board Action
 - Need to contract Hendrix regarding the pump that exists in his name and whether it actually works.
 - Need to find out from DNR if any permits are needed.
 - The Board will set an October 17, 2019 meeting at 7:00pm at the town hall if that date and time is available.

Badfish District

- History of Drainage, Village and Board
 - J. Mitby reviews the history and formation of drainage districts and the Board.
 - Last week on 8/14, P. Maly and L. Massie attended a Village Board Meeting. P. Maly has obtained an estimate on potential clean out work. The Village introduced an Intergovernmental Agreement at this meeting in which the Village pays for the clean out and the Board will supervise the clean out. The Village also wants yearly inspections by the Board.
 - J. Mitby's office has been in contact with the DNR regarding permits. The DNR finally agreed that no permit is needed under Ch.88 for the clean out work.
 - There is surface water in the district and cleaning out the ditch will likely not resolve all problems but cleaning it out will let the Village know if there is any impact.
 - J. Mitby has reviewed the Intergovernmental Agreement. It looks like work will start next week. He needs to discuss with the Dane County treasurer how the money will be paid for the contractor.
- Plans for Clean Out
 - L. Massie explains the process of cleaning out the ditch. The ditch is only 2.5ft deep and will not become deeper due to the railroad. Spoils will be on the side of the bank furthest from homes. The spoils will initially be unattractive.
 - The Board is happy with how the Village has worked with them. The Village owns a large portion of the district but the Board cannot assess that as the Village is responsible as it is park area.
- Public Comments
 - P. Hill notes that piping was installed in the homes to get the sump pump discharge to the creek and an empty lot. Some pipes have been broken and not fixed. L. Massie recommends that she work with the Village on this after the clean out.
 - R. Spach states that he has spoken with the Village and they state they have no way to know where the discharge is going.
 - W. LaSchum asks who is responsible for the Village regarding their additional water output if the clean out doesn't work and problems remain. L. Massie states that the Village has indicated in their own report that they know an illegal hook up occurred. J. Mitby states that they Village residents may change the Village Board, hire an attorney to sue the Village, or try to work with the Board.
 - T. Nystrom asks for clarification on whether the Board believes an illegal connection was made by the Village. J. Mitby says yes. L. Massie states that the Village Board attorney reports states as such.
 - T. Nystrom asks about removing the Village from the district. L. Massie explains withdrawal procedure and that Board makes a determination of what is in the public interest. The Village is not interest in being removed at this point.
 - The next steps are to clean out the ditch and see what happens. L. Massie states that at this time there are not future assessments planned. The City is agreeing to pay a yearly \$2,500 fee to the Board.
- Board Action

- L. Massie moves to approve Intergovernmental Agreement with the Village of Oregon as to form and S. Ringelstetter shall sign once final minor edits are made. P. Maly seconds. MC 3-0.
- L. Massie moves to approve the Annual Agreement with the Village of Oregon for a yearly \$2,500 payment. P. Maly seconds. MC 3-0. S. Ringelstetter signs the agreement.

L. Massie moves to adjourn meeting. P. Maly seconds. MC 3-0. Meeting adjourned at 8:12 pm.