

**DANE COUNTY DRAINAGE BOARD
PUBLIC HEARING NOTICE**

Drainage District #19 - Middleton

The Dane County Drainage District Board has scheduled a public hearing for members of Dane Co. Drainage District #19 (Middleton) to discuss items listed below.

Date/ Time: August 4, 2022 at 4:00 p.m.

Location: <https://us02web.zoom.us/j/86990063276?pwd=aXlwdEFqYWZ4SmZGbU9WVWV5McE9VQT09>

Meeting ID: 869 9006 3276

Password: 989770

Dial in number: +1 (312) 626-6799

The hearing is being held via virtual means as a result of the COVID-19 pandemic. Basic instructions to attend the meeting *via* Zoom can be found on the district website: <https://danecountydrainage.org/meetings-minutes>. All interested parties are permitted to present uninterrupted testimony at Board hearings. In the interest of maintaining order and allowing all parties to participate please inform Bill Ringelstetter at bill@ringelstetter.net or (608) 628-3776 prior to the start of the hearing if you want to present testimony. You have the right to inspect any documents related to any agenda item, if they exist, before the public hearing. Documents are available upon request from Kathryn Fosdal at kfosdal@hurleyburish.com

If you have any questions prior to the hearing please contact one of the following board members: Paul Maly at (608) 695-1623 or spdrainage@gmail.com, Leonard Massie at (608) 512-7372 or lrmassie@wisc.edu, Bill Ringelstetter as referenced above OR Attorney John C. Mitby at (608) 575-4077 or jmitby@hurleyburish.com.

AGENDA

1. Call to Order.
2. Review and approval of prior hearing and minutes;
3. History of District and District rights under Wis. Stats. Chapter 88 and ATCP 48 Admin. Code. The legal benefits under Chapter 88 and the 20-foot corridor and permit process or lack for need thereof. Information on who will be responsible for the District if dissolved;
4. Prepare a record of hearing which includes and answers any testimony, written or e-mails or phone calls to Board members or its Atty on district matters;
5. Update on State Funding Program and cost (if any for such funding District's obligations under Chapter 88 and ATCP 48 Admin. Code) to Landowners as described by State Drainage Engineer (most recent information);
Discussion of any compromise or resolution on costs, who should take over the District, and responsibility to do so. Include in discussion the status of pending lawsuit for dissolution of District #19;
6. Draft Settlement Agreement to dissolve the district reviewed and hearing to include to include the provisions of Wis. Stat 88.82 (1) (d). Settlement agreement may be amended by the Board based upon the hearing;
7. Determine under Section 88.82(1)(bm) if dissolution is proper given that at least twenty (20) years of the latest assessments for cost against land in the drainage district has been made;
8. Report per section 88.32(4) if County Treasurer. has any funds on hand for District #19; or whether any current assessments for costs have been made (Report by Board Chair)
9. Board execution of stipulation to be executed as per paragraph 11 below and filed with court;
10. Report on pending lawsuit entitled OW Holdings, LLC v. Dane County Drainage District. 19, Case No. 20-CV-2263 with regard to request to dissolve the district and if dissolve then Landowner take over the district responsibilities, costs and obligations under Wis. Stats 88.82(6), if dissolved. The next scheduled

hearing date for this matter is set for August 31, 2022 at 9:00 am in Courtroom 5D front of Judge Rhonda L. Lanford;

11. Board to sign or authorize Atty for Board to Execute stipulation to withdraw (as finalized or amended) the District's answer to suit filed as reported in paragraph 10 and file the same with court;
12. Adjourn

DANE COUNTY DRAINAGE BOARD

Paul Maly, Chair

Leonard Massie, Secretary

Bill Ringelstetter, Board Member

Atty John C Mitby for District #19

608-575-4077

jmitby@hurleyburish.com