

Minutes of the Meeting
Racine County Board of Drainage Commissioners
September 14, 2017 – 7:00 P.M.
Racine County Ives Grove Office Complex

Item 1. Chairman Alvin Wilks called the meeting to order at 7:03 p.m.

Item 2. Roll Call: Members Present: Commissioners Alvin Wilks, Alan Jaspersen, Russ Weis, John Vyvyan

Excused: Greg Foat

Others Present: John W. Knuteson Attorney for Board, Mark Madsen, Engineer; Kim Williams, recorder.

Item 3. Approval of Agenda. Item #32 – Racine County Intergovernmental Agreement is to be added to the agenda. Alan Jaspersen made a motion to approve the agenda as amended, seconded by Russ Weis and the motion passed unanimously.

Item 4: Reading and approval of prior meeting minutes of 6/8/17: Russ Weis made a motion to approve the regular meeting minutes as written, seconded by Alan Jaspersen, and the motion passed unanimously.

Item 5: Financial Report (attached). John Knuteson reviewed financial information from September 1, 2016 through August 31, 2017 and the Bills to be Paid to be signed at tonight's meeting. Alan Jaspersen made a motion to approve the Bills to be Paid and John Vyvyan seconded, and the motion passed unanimously. John Knuteson discussed the District Account Balance and Loans with Community State Bank and the current assessment years / outstanding uncollected amounts.

FARM #1/WATERFORD:

Item 6. Discussion and possible action of the next potential assessment. Al Jeske provided a Tile Replacement Project map and explained that currently there are 4 tiles that need work done. Nielsen Madsen & Barber will get figures together for the December meeting for further discussion and possible action. **Tabled until December 2017.**

Item 7. Update from Nielsen Madsen & Barber regarding tile projects needed. Item was discussed with Item 6.

Item 8. Discussion on Rochester Dam increase request by Tom Halter. Tom Halter explained that for 13 years there has been no increase but the scope of the operations has added many new aspects that require more dedicated time. Therefore, he requested an increase from

\$1,000.00 to \$1,250.00/month. Russ Weis made a motion to approve Tom Halter's request for the Rochester Dam increase, effective 9/1/17, seconded by John Vyvyan, and the motion passed unanimously.

FARM #4/EAGLE CREEK:

Item 9. Discussion and possible action regarding Annexation by Eagle Creek. The current assessment is from 2014 – 2018. Al Wilks suggested that the Board begin to work on the annexation so that it will be ready to go for the new assessment in 2019. Al Wilks has instructed John Knuteson and Kim Williams to get a plan in place and to begin planning the annexation process.

Item 10. Update regarding Bart Dosedla "possible" blow out on the main that was installed approximately 7 – 8 years ago. John Vyvyan said that Dave Rowntree hasn't come up with a solution to the issue as of yet. Al Wilks said that there isn't much that can be done at the moment and that the Board will have to watch and wait.

Item 11. Asplundh spraying status. Al Jeske said that the spraying has been completed, except ½ mile on one side of the canal bank in two locations because they are heavily wooded areas and couldn't get ATVs through it. Al Jeske thought that the Board should consider de-brushing this winter so Asplundh can finish spraying those areas.

FARM #5/HOOSIER CREEK:

Item 12. Update regarding delinquent payment for Town of Brighton road bill. John Knuteson reviewed the issue about the delinquent Town of Brighton road bill and Alan Jasperson's request to have RCBDC put on the Town of Brighton agenda for the October Town Board meeting. Alan has requested that Kim Williams turn over copies of all Road bills from 2016.

Item 13. Status Update on the ditching cleaning. Bids have been received and work can begin within the next 30 days. The lowest bid was from Gunderson Excavating for \$39,468.75. Nielsen Madsen & Barber is recommending the low bidder, Gunderson Excavating, to complete the work. Alan Jasperson made a motion to award the Gunderson Excavating including the culvert replacements, seconded by Russ Weis and the motion passed unanimously.

Item 14. Update on District mapping and specification by Nielsen Madsen & Barber. Mark Madsen reported that the mapping is going slowly because of the rain this past spring and summer and business picked up tremendously. Al Wilks has requested that they get the work done before the weather turned bad.

Item 15. Update and discussion regarding Susan Mueller's property. Russ explained that property is where one of the culverts is located. He doesn't think there is going to be a problem, and doesn't think that Susan Mueller is willing to spend much, if at all.

Item 16. Update from Nielsen Madsen & Barber regarding Branch 8 district tile work. Is this ready to bid? Russ Weis explained that this includes Bart Ament, Dale Noble and Steve Henningfield's property. Russ toured Steve Henningfield's property and found 2 blow-holes and Russ instructed Steve to get them fixed. The rough project cost estimate would be \$148,000.00 and the future area \$161,000.00 for a total of \$309,000.00 (approximate). Al Wilks said that this work will not be getting done this year, and we are looking at possibly Spring or Fall 2018. Al requested that this project should be put out for bids and requested Nielsen Madsen & Barber to obtain bids before the December meeting for further discussion.

Item 17. Grassman's spraying status. Russ Weis said that Grassman has finished and he feels that they have a 95% kill.

Item 18. De-brushing project from 142 to Brever Road. Russ Weis said that since Nielsen Madsen & Barber will be finishing up on the mapping and specifications, he recommended that they also prepare a specification for that area. Work has been completed. Spraying in this area will be much easier to gain access. De-brushing has been completed and looks good.

Item 19. Costs and Budget effect of the above projects. Item was discussed under each individual items. Al Jeske reviewed the 2017 Canal Spraying Analysis for Farm #5 / Hoosier Creek, Norway / Dover and Yorkville / Raymond Districts, costs and miles that need to be sprayed.

NORWAY/DOVER DRAINAGE:

Item 20. De-brushing project status. Al Jeske said the work that was completed last winter and final payment is being paid today. There are some areas on the North end of the district that need to be finished, per the contract, but they can't get in because some of the areas are heavy and thick. Alan Jasperson recommends that Al Jeske gets quotes.

Item 21. Asplundh spraying status. Asplundh just finished up in Eagle Creek, and now will be getting back to Norway / Dover. Work to be completed is North Cape Canal, Branch 5, Branch 6 and 10 from Hwy A to Hwy N.

Item 22. Wind Lake Canal / Goose Lake Branch dredging status. Needs to get done ASAP as it dries out. The DNR has requested to get it done; Tom Halter is doing the drawdown as of October 1st and would like the contractors ready to go as soon as it is dry enough and crops have been harvested. It was recommended by Al Jeske that a letter be sent to property owners with an update on the Drawdown and work that will be performed.

Item 22a. Just west of Hwy N, the Rowntrees had 4 tile outlets coming from the North and the ditch is steep and it took out his 4 tile outlets. Gunderson Excavating is doing the work, Al Wilks told Gunderson to send the bill to Rowntree, but the clean out portion of the bill is the responsibility of RCBDC. Gunderson Excavating not last year but the year before cleaned out a

road near the Rowntree, Schaal and a couple of other properties. There is some brush down. It was decided to send the brush crew in and get the area cleaned up.

YORKVILLE/RAYMOND:

Item 23. Status of Yorkville / Raymond Agreement. No progress.

Item 24. De-brushing project status. East side of Eder Nursery project is ready to go. Al Jeske will call the contractor to schedule.

Item 25. Grassman spraying status. Al Wilks said that he visited with Al before the meeting and said that Grassman has finished and has estimated his bill at \$9,500.00. Al Jeske again reviewed the 2017 Canal Spraying Analysis for Farm #5 / Hoosier Creek, Norway / Dover and Yorkville / Raymond Districts, costs and miles that need to be sprayed.

Item 26. Update regarding Town of Raymond "overpayment" refund request. Kim Williams has researched this particular issue on more than one occasion. A letter was sent to Town of Raymond with our calculation of the "overpayment". Kim Williams is still waiting to hear from the Town of Raymond for their response. Al Wilks made a motion to pay the Town of Raymond \$1,622.57 for the 2014 and 2015 overpayment, seconded by Alan Jasperson, and the motion passed unanimously.

Item 26A. Beavers. John Vyvyan said that there is a Beaver problem at the Nielsen property on the other side of 50th Road, and John had Al prepare a letter. Last time they had a trapper in there, the DNR, took traps and fines were attempted to be given. John Vyvyan prepared a letter to David & Judith Nielsen requesting their permission to access their property to correct the issue. Once the beavers are gone, then that area is going to need to be dredged again. It should not cost much to do that dredging, but this area is a problem.

ALL DISTRICTS:

Item 27. Re-appointment of Alan Jasperson. The hearing is scheduled for October 2 at 11:00 and Alan should be re-appointed for another 5 years.

Item 28. Discussion and possible action regarding payments received from all prior partial lien release prior to the current levy of assessment (Wendel Zirbel). John Vyvyan asked why Wendel Zirbel was charged to have partial lien releases recorded with the Register of Deeds. John Knuteson explained that RCBDC cannot record a final lien release until all payments have been received and since Racine County and RCBDC had entered into the Intergovernmental Agreement where all delinquent parcels have been made whole through 2016 and any Levy of Assessments prior to 2016, Final Lien Releases for earlier assessments can now be recorded with the Register of Deeds.

Item 29. Follow up on Recording Final Release of Levy of Assessments for all Districts.
Discussed in Item 28.

Item 30. Legislative Update on Proposed Drainage Bill. Alan Jasperson stated that they are getting close and the draft is pretty much done. They are hoping that they will get support from other drainage districts. Al Wilks stated that he hopes that they either gets this Legislation update approved or not, because the amount of money that RCBDC is spending on Legal Fees on this proposed legislation is more than what John Knuteson charges the district. Al also said that the spending needs to stop and work needs to get done. The Board passed a resolution in support of AB46 and encourage the legislature to adopt the changes.

Item 31. 2016 – 2017 Annual Reports. Al Wilks asked the Board to review the Annual Reports and the Financial Reports for accuracy and asked that if there are any issues, they should be addressed to John Knuteson or Kim Williams.

Item 32. Racine County Intergovernmental Agreement. John Knuteson explained to the Board that RCBDC entered into the Agreement with Racine County in good faith that for Racine County to make everyone whole by August of each year, they would send RCBDC a check for the delinquent parcels. In Alexandra Tillman's absence, Racine County decided to use the provision in the contract that says they will pay either the Drainage District or the Municipality. Without consulting us and without our understanding that was going to happen, they sent all the checks to the Municipalities; the Municipalities are confused as to why they are receiving the checks. RCBDC needs to have a discussion with the Treasurer's office to discuss our Agreement. Al Wilks gave the go ahead for John Knuteson to get this handled.

Proposed 2017 Meeting Dates:

Dec. 7, 2017 - 1:30 pm.

Adjournment. Russ Weis made a motion to adjourn, which was seconded by John Vyvyan and passed unanimously at 9:00 p.m.

RACINE COUNTY BOARD OF DRAINAGE COMMISSIONERS

APPROVED: 12/7/2017

Al R. Wilks
Chairman

Alan Jasperson
Secretary