

Minutes of the Meeting
Racine County Board of Drainage Commissioners
December 7, 2017 – 1:30 P.M.
Racine County Ives Grove Office Complex

Item 1. Chairman Alvin Wilks called the meeting to order at 1:30 p.m.

Item 2. Roll Call: Members Present: Commissioners Alvin Wilks, Alan Jasperson, 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. Alan Jasperson 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 9/14/17: Russ Weis made a motion to approve the regular meeting minutes as written, seconded by Alan Jasperson, and the motion passed unanimously.

Item 5: Financial Report (attached). John Knuteson reviewed financial information from September through November 30, 2017, Bills to be Paid (to be signed at today's meeting), Bills paid, and District Account Balances and Loans with Community State Bank.

Financial Reports.

Two items were questioned: Payment of \$1,622.57 to the Town of Raymond from both Yorkville/ Raymond and Norway/Dover. Kim Williams explained that the payment for the Yorkville/Raymond District should be voided and will have TaylorMade make the correction.

The \$30.00 bank charge for Norway / Dover was question. Al Wilks requested that Kim Williams contact Dave Moyer from Community State Bank to discuss reversing the charge.

Financial Report: Russ Weis made a motion to approve the financial report, seconded by Alan Jasperson, and the motion passed unanimously.

Bills paid and Bills to be Paid: Alan Jasperson made a motion to approve the bills paid, seconded by Russ Weis, and the motion passed unanimously.

FARM #1/WATERFORD:

Item 6. Discussion and possible action of the next potential assessment.

Mark Madsen and Al Jeske presented the Tile Replacement Project Cost Estimate.

Drain Tile #1 South of Westheimer to Hwy 164.	\$ 93,820.00
Drain Tile #2 Intersection of Hwy 36 and Main Street	\$149,090.00
Drain Tile #2 Going East then South - Alternate	\$156,700.00

Drain Tile #3 Starting at the Retention Pond at Hwy 36 \$387,135.00
Drain Tile #4 Kraemer Rd, South to White Fox Den
Restaurant and cross Hwy 36 and dumps into the swamp. \$157,772.50

Tabled until March 18, 2018 when Greg Foat is present.

FARM #4/EAGLE CREEK:

Item 7. Discussion and update on the Annexation of Eagle Creek. John Knuteson discussed what it would take to annex Eagle Creek with the new Drainage Law. Mark Madsen needs to update the specifications. Once that is in place Knuteson, Hinkston & Quinn can give a more detailed timeline so that it can be annexed and assessed before October 2018. It was recommended that a special meeting be scheduled for the end of January or beginning of February 2018.

Item 8. Discussion Regarding De-Brushing of Canals for Spraying. Al Jeske said that there are two areas that the contractor could not get in because the banks needed to de-brushed. Al Jeske suggested that we get some quotes for de-brushing. Will discuss further at the special meeting.

FARM #5/HOOSIER CREEK:

Item 9. Update regarding Town of Brighton Board Meeting from October 9, 2017. Alan had attended the meeting, on October 9th. Town of Brighton is requesting additional information. Mark Madsen stated that there are only a few parcels on First Street that are affected. Mark Madsen said that he only charged the parcels that were dedicated. It was suggested that Mark Madsen review parcels in question and email the CSM's results to Kim Williams and Alan Jaspersen. John Kiel, Chairperson for the Town was in attendance and stated the Town wants to make sure that these parcels should be billed. If it's a deeded road, the Town of Brighton will pay their portion of First Street, and they have no problems with that. John Kiel spoke on behalf of the Town of Brighton, said that they appreciated our patience and our willingness to address their concerns and the Town is thankful that they have a good rapport with the Board.

Item 10. Update on District mapping and specification by Nielsen Madsen & Barber. Mark Madsen stated that Nielsen Madsen & Barber is approximately 80% done. The survey is done; most of the analysis of the drainage is done. The District Corridor has been changed from 20' to 60'. The new law states that we are allowed put the spoils in the corridor for the maintenance of the ditch.

Item 11. Discussion and possible action regarding Branch 8 district tile work. Nielsen Madsen & Barber provided a cost estimate for Branch 8. Phase 1 was estimated at \$194,375.00, Phase 2, as an Alternate bid, cost estimate is \$217,320.00. Nielsen Madsen & Barber will have bids ready for the March meeting. Al Jeske suggested that we have bids for both phases, so the Board has the option of which phase they want to complete.

**** Additional comments on Hoosier Creek****

Russ mentioned that he's been talking with the CN Railroad and Russ gave Russ Rasmussen's telephone number, so Russ can relay to CN Railroad what they saw the day we looked at the Culvert that goes underneath the railroad. He maintains that he would have to do a Hydro survey and he doesn't seem to think he can get the railroad company to pay for that. Russ asked Mark Madsen if he could give him an estimate as to how much a Hydro survey would cost if the drainage district decided to do it. Nielsen Madsen & Barber will go out and look at the area.

Russ Weis was contacted by Ralph Rice regarding his tax bill. Ralph questioned whether his adjustment amount was applied to his tax bill. The Board asked Kim Williams to check on Ralph Rice's assessment and tax bill.

Al Wilks asked Russ Weis how the ditch cleaning was coming. Under the new law, the specs will be sent to DATCP when completed. Since the bill was signed into law, we are ready to go to clean. Russ would like to discuss a "good starting point" with Al Jeske. It was recommended that a plan be put in place, and discussed at the Special Meeting that will be held.

NORWAY/DOVER DRAINAGE:

Item 12. Status of De-brushing project quotes. Al Jeske said that Mike Gunderson needs to work on the north end, and he is not sure if he'll get that done by the end of the year. Weather permitting and if the weather is dry, Mike Gunderson may be able to tackle more work on the north end.

Item 13. Status of the Wind Lake Canal / Goose Lake Branch dredging project. Al Jeske said that for the last 3 to 4 weeks they have been pumping the whole canal system trying to get it down for the contractors. Last week Thursday dredging was started on the Goose Lake Branch Canal by Romans Grading on Contract #6 and Gunderson Excavating started on Contract 5A this past Monday, which is downstream of Contract #6. Tom Halter is running the pumps for the District and helping with the pumping coordination with Al Jeske and the contractors, to get the water levels down as much as possible.

Item 14. Discussion and possible action regarding new agreements with Village of Rochester. Village of Rochester Agreement goes from 1/1/13 to 12/31/17 in the amount of \$11,880.33 per year. John Knuteson said that he will follow up with Betty Novy about a new agreement.

Item 15. Discussion and decision regarding contract 5A being awarded to Gunderson Excavating. Alan Jasperson made a motion to award Contract 5A to Gunderson Excavating, seconded by Russ Weis, and the motion passed unanimously. Romans Grading said they would not be able to finish this portion of the contract this year. The Board asked if they would be willing to give up a portion and they agreed to give up Contract 5A, which will be award to Gunderson Excavating for \$198,486.25.

Item 16. Discussion and decision regarding contract 3A being awarded to Krause Excavating, Inc.

Alan Jasperson made a motion to award Contract 3A to Krause Excavating, seconded by Russ Weis and the motion passed unanimously. He spoke with both contractors, Romans Grading and Western Contractors, and explained that this contract must be completed this year. Both contractors said that they won't be able to finish their portions of their contract; The Board asked if they were willing to give up a portion of their contract. Western Contractors gave up Contract 3A, and Krause Excavating will take over Contract 3A for \$411,346.50. which includes matting.

Item 17. Discussion and decision regarding width of corridor. John Knuteson provided the Board the 2017 Senate Bill 177 pertaining to the width of the corridor and the Analysis by the Legislative Reference Bureau.

YORKVILLE/RAYMOND:

Item 18. Discussion and possible action regarding new agreements with Yorkville, Raymond and Union Grove. Current agreements have expired. Doug Schwartz with the Town of Raymond was in attendance and said that the Town of Raymond would like to continue with the Agreements and so does Town of Yorkville. Mark Janiuk from the Village of Union Grove is also in the audience and expressed that he hopes the Drainage Board listens to the Union Grove Board about their concerns regarding their yearly cost.

Item 19. Town of Raymond "Overpayment" has been resolved. Kim Williams said that a refund check was issued to the Town of Raymond on October 30, 2017.

ALL DISTRICTS:

Item 20. Discussion on letter received by Elizabeth Joseph of Rochester. The Board took time to read the letter that was sent to the Board.

Item 21. Re-appointment of Alan Jasperson. Alan Jasperson has been reappointed for the next 5 years. The next commissioner up for re-appointment is Greg Foat on July 22, 2018. Alan Jasperson commented that one of the new agreements in the bill is if there is a City or Village in our Drainage District that wants to have a Board member, they will have the ability to do that.

Item 22. Recording Final Release of Levy of Assessments for all Districts. Not Discussed.

Item 23. Legislative Update on Drainage Bill AB246 and SB177. The new law was signed by Governor Walker on November 30, 2017. With this new law there will be less requirements for DNR Permits. Tom Halter worked hard. We had support from our Board and good support from a lot of people. It was suggested that John Knuteson prepare a letter to other drainage districts thanking them for their support, and by asking them to contribute to the cost of legal fees to enact this legislation.

Item 24. Discussion on Department of Agriculture Letter regarding review hearings for yearly Annual Reports. The letter reminds us that we have to hold a hearing on our Annual Reports, which must be completed by December 1st.

Item 25. Update on the Racine County Intergovernmental Agreement. The idea was that Racine County was to make the payments to RCBDC of everything that was delinquent instead of on a monthly basis. There was language in the Agreement that said they Racine County could pay RCBDC or pay the Municipalities. Racine County decided they would just issue the checks to the Municipalities. Kim has followed up with those Municipalities. John feels that we need to talk with the County and discuss this further.

Item 26. Status update on 2017 Tax Bills. Kim did a good job and got them in by the deadline. We will also follow up on the Agreement to ensure that payment is being made.

Item 27. Discussion and approve proposed 2018 meeting dates & times.

- March 8, 2018 – 1:30 p.m.
- June 14, 2018 – 7:00 p.m.
- September 6, 2018 – 7:00 p.m.
- December 6, 2018 – 1:30 p.m.

Al Wilks made a motion to approve those dates, Russ Weis seconded, and the motion passed unanimously.

**** Alan Jasperson made one last comment that he received a phone call from one of the landowners complaining of a lien being recorded against his property. It was suggested that when RCBDC prepare the Levy of Assessment letters that we add somewhere in the letter that a lien will be placed on the parcel. ****

**** Russ Weis and Randy Newholm had to go into Rodger Christoph's property and pull a dam out. We told him at a previous meeting that he can not have a dam. Russ said that he is NOT in favor of reprimanding him at this time. John Knuteson should send a letter explaining that once again he can not have a dam.**

Adjournment. Russ Weis made a motion to adjourn, which was seconded by John Vyvyan and passed unanimously at 3:45 p.m.

RACINE COUNTY BOARD OF DRAINAGE COMMISSIONERS

APPROVED: 1-25-18

Al R. Wilks
Chairman

Alan Jasperson
Secretary