

JEFFERSON COUNTY FARM DRAINAGE BOARD
LANDOWNERS' MEETING REGARDING DRAIN 44

Jefferson County Courthouse
331 South Center Avenue, Room 203
Jefferson, WI 53549
November 27, 2017
9:30 A.M.

Board Members Present: David Hughes, Ron Griebenow, Peter Magnoni, and Attorney Andrew Griggs
Landowners Present: There were 11 landowners present whose names are listed on the attachment to these minutes.

Call to Order: Meeting was called to order by Chairman, David Hughes at 9:36 a.m.

Order of Business – Drain 44

Chairman Hughes introduced the Drain Board members and attorney. He stated the purpose of the meeting was to receive input from landowners regarding the cleanout of this drain.

Chairman Hughes further explained to the landowners that this drain had \$113.84 in its fund with outstanding bills of about \$1500.00 plus legal costs. He stated that an assessment would need to take place today either at a minimal level to pay current bills or at a level to improve the drain.

Ron Griebenow presented to the group the layout of the drain and the work that needed to be done. This drain is a tiled drain not an open ditch.

Attorney Griggs presented to the landowners that there are 96,984.70 benefited acres. An assessment to do the projected work with a 5% cash reserve would need an assessment totaling approximately \$60,000. He stated that a 60% assessment would raise \$58,190.82 – close enough to complete the work.

The landowners generally discussed various concerns, alternate approaches such as putting in additional tile, putting in an open ditch and abandoning the tile system. There was discussion about dissolving this drain. Attorney Griggs explained the procedure to dissolve the drain. The general concern was the vast amount of private tiling that was adding volume to the tiled ditch which can no longer handle the volume of water.

The landowners discussed the alternative of a minimal assessment just to pay bills and a 5% reserve. Attorney Griggs presented that a minimum assessment at 17% of benefited acres would be needed to pay minimum expenses. This assessment of 17% would raise \$16,457.00. Following discussion on the minimal assessment, Dean Jaeger made a motion to approve a minimal assessment to raise \$16,457.00. The motion was seconded by Brian Burtared. Chairman Hughes called for a show of hands vote.

Results: 5 landowners for the motion.

3 landowners against the motion.

Based upon attendance, vote of the motion did carry, however, a question was raised that the number of acres benefited should determine if the vote carried. Chairman Hughes asked Attorney Griggs for precedent. Attorney Griggs said that the landowners would need to vote individually by benefited acres and one vote per property.

Call of Landowners:

T. Zimdars	Against
G. Zimdars	Against
B. Burtared	Not eligible to vote
D. Jaeger	For
D. Pritchard	For
J. Wockenfuss	For
B. Degner	Against
D. Adams	Against

Based on the vote by acres benefited the motion for minimum assessment failed.

Following this action, Bruce Degner made a motion to do a 60% assessment to raise \$58,190.82. The second to the motion was made by Troy Zimdars. The vote was taken by number of benefited acres

Call of Landowners:

T. Zimdars	For
G. Zimdars	For
B. Burtared	Against
D. Jaeger	Against
J. Wockenfuss	Against
B. Degner	For
D. Adams	For

The vote by benefited acres carried. Attorney Griggs, after general discussion, set the first assessment payment for March 31, 2018.

With no further business regarding Drain 44, Chairman Hughes adjourned the meeting at 10:40 a.m.

Respectfully submitted,
Peter Magnoni, Secretary

Attachment: Landowners Sign-in Sheet

JEFFERSON COUNTY FARM DRAINAGE BOARD
Monthly Board Meeting
Jefferson County Courthouse
311 S. Center Avenue, Room 203
Jefferson, WI 53549

November 27, 2017
11:10 a.m.

Board Members Present: David Hughes, Ron Griebenow, Peter Magnoni, and Attorney Andrew Griggs

Guests: Anita Martin

Call to Order was made by Chairman Hughes at 11:10 a.m.

Approval of Minutes

The Drain Board reviewed and approved the minutes of October 9, 2017 Drain Board meeting.

Order of Business

STATE DRAIN BOARD MEETING

The Board discussed the changes in State law concerning the new proposed legislation. As of the date of the meeting, the new legislation had not been approved by the Governor due to some re-write changes to various sections.

DRAIN 44

The Board discussed possible contractors who might be interested in this new approved cleanout.

DRAIN 36

The Drain Board discussed the engineering report received from DesignTech Engineering Inc. which will be sent to Wisconsin DOT responding to their request. The Board is waiting for a letter to be sent by Dan Prunuske to the Wisconsin DOT responding to their request.

DRAIN 15

Attorney Andrew Griggs gave a report to the Board on the current status of the Town of Lake Mills lawsuit. He indicated the case will not receive a summary judgement due to disputed facts. He believed the trial will be scheduled for April 2018. Chairman Hughes stated that the rock dam is causing damage to the west bank of the drain, causing the bank to fall into the stream. Attorney Griggs requested current photos illustrating the damage.

DRAIN 20

Chairman Hughes indicated that his last inquiry indicated the work had not been completed by Andy's Excavating. Chairman Hughes will follow-up on the progress with the drain.

DRAIN 14-C

Ron Griebenow reported to the Board that the culvert was installed and the work has been completed.

DRAIN 14-B

Ron Griebenow will meet with Tom Jaeckel to communicate landowner concerns before this Drain is cleaned.

GENERAL

Chairman Hughes submitted the advertising proposal from Kartechner Brothers LLC, contractors.

Ron Griebenow submitted a letter from John Marchewka, Wisconsin DOT in regard to Drain 36.

The Drain Board approved the following bills for payment:

	<u>DRAIN #</u>
a. Griggs Law Group	Multiple Drains/General
b. We Energies	36
c. Jaeckel Brothers	Multiple Drains
d. WADD Annual Fees	General

The next meeting will be held on December 11, 2017, at 9:30 a.m.

With no further business before the Drain Board, the meeting was adjourned at 12:15 a.m.

Respectfully submitted for meeting of November 27, 2017,
Peter H. Magnoni, Secretary