

JEFFERSON COUNTY FARM DRAINAGE BOARD
Monthly Board Meeting
Jefferson County Courthouse
311 S. Center Avenue, Room 203
Jefferson, WI 53549
November 12, 2018
9:30 a.m.

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

Guests: Jeff Gerner, Drain 2

Call to Order was made by Chairman Hughes at 9:33 a.m.

Approval of Minutes

The Drain Board reviewed and approved the minutes of October 8, 2018, Drain Board meeting.

Order of Business

DRAIN 36

Secretary Magnoni read the email from Attorney Philips regarding communication from the DOT attorney about the culvert replacement. An offer was made to do cost sharing to replace the culvert. The Drain Board's position is to have the DOT get an estimate of the cost of replacement in order to proceed. The question is – What will the replacement actually fix? Will the work replace the existing only or will it do an enlarged culvert? Will the replacement involve a boring or open the highway?

DRAIN 44

- A. Ron Griebenow reported that all tiles have been delivered to the site. The ditch work has not begun, however, it is expected to be soon.
- B. Following discussion on this issue the Board directed the Secretary to make arrangements to meet with the homeowners' association with Ron Griebenow in attendance.

DRAIN 16

Chairman Hughes and Ron Griebenow reported on the inspection of the culvert installed in this drain. The new culvert was incorrectly installed by the property owners. The Drain Board directed Secretary Magnoni to write a letter to the landowners, pointing out the problems (with photos) and request that the culvert be properly installed. The property owners are Bradley and Kathy Rosecke, 106 Pinnacle Drive, Lake Mills, Wisconsin 53551

DRAIN 2

Secretary Magnoni reported that the landowner names had been sent to Attorney Griggs for him to complete an assessment. Landowner, Jeff Gerner, attended the Drain Board meeting and presented an invoice for blowout and ditch deterioration repair.

The Drain Board accepted the invoice, however, funds are not available to pay this invoice until money is received from landowner assessment.

DRAIN 15

Secretary Magnoni reported to the Drain Board the progress of research on paid costs by Attorney Griggs and local County staff.

DRAIN 20

Secretary Magnoni reported that Attorney Griggs was sending out the assessment letters this week with payments due by December 31, 2018. Chairman Hughes reported that a large tree had fallen in this drain due to flooding. This tree was left standing by the contractor at the landowner's request. The cost for this tree removal is to be paid by the landowner. Chairman Hughes will follow up with this issue.

STATUS OF DATCP DISSOLUTION HEARING

Secretary Magnoni reported the results of the hearing with Circuit Court Judge Brantmeier on November 7, 2018. Attending this hearing was Attorney Alex Phillips, DATCP Chris Clayton, and Drain Board members, Ron Griebenow and Peter Magnoni. Following the briefing by Attorney Phillips, who summarized the results of the public hearing on October 9, 2018, Judge Brantmeier outlined the actions that need to be taken before the court will rule on this issue. These actions are as follows:

1. A public posted notice of the Drain Board's intent to discuss this issue. (This was posted for the November 12, 2018, Drain Board meeting.)
2. The Drain Board must make a decision for each of the seven districts.
3. Following the Board's decision on the seven districts, the Drain Board attorney must send a final petition to the Circuit Court for either dissolution or removal of the stop work order.
4. The Drain Board must send a written notice to all landowners in all districts concerning the final petition and the landowners' right to attend a hearing.
5. The Court will issue a ruling concerning the Administrative Dissolution.

Chris Clayton, DATCP, stated to Judge Brantmeier that they were in agreement with the actions outlined to bring this matter to conclusion.

Following this report, the Drain Board discussed the actions and all districts under consideration for administrative dissolution. Following this discussion, Chairman Hughes made the following motion:

The Drain Board supports the DATCP petition to dissolve Drain #s 1, 11, 13, 17, 18, and 19. Drain #24 should have the Suspension of Operation (April 26, 1983) rescinded and this Drain should be restored to active status.

This motion was seconded by Ron Griebenow and the motion was carried.

AGENDA ITEM #10

- A. The Drain board discussed that the Wisconsin Drain Board Association has not set the date of their Annual Meeting. It is expected that the meeting may be scheduled in December.
- B. The Secretary reported that the Annual Report of the Drain Board was in process, however, he was very late with completion due to other Drain obligations.

OLD BUSINESS

DRAIN 14-B

- A. The Drain Board directed Secretary Magnoni to send a letter notifying Mark Klusken, N9349 Horseshoe Road, Watertown 53094, that Contractor Jaeckel will be cleaning the drain ditch which crosses his property. Chairman Hughes indicated that his telephone number should be included in this letter.

DRAIN 1

- B. Secretary Magnoni reviewed the letter sent to Norman Stoner and Bruce Buske, responding to their concerns raised at the October 9, 2018, Landowner Dissolution Hearing.

The Drain Board approved the following invoices for payment:

	<u>DRAIN #</u>
a. Griggs Law Group	multiple drains
b. We Energies	36
c. Fish Drainage LLC	2

The detail of invoices paid can be reviewed in the County Finance Office, Room 109, Jefferson County Courthouse.

The next meeting will be held on December 10, 2018, at 9:30 a.m.

With no further business before the Drain Board, the meeting was adjourned at 11:20a.m.

Respectfully submitted for meeting of November 12, 2018

Peter H. Magnoni, Secretary