

JEFFERSON COUNTY FARM DRAINAGE BOARD

Monthly Board Meeting
Jefferson County Courthouse
311 S. Center Avenue, Room 202
Jefferson, WI 53549

May 9, 2022
9:30 a.m.

1. CALL TO ORDER was made by Chairman Hughes at 9:32 a.m.
2. ROLL CALL: Board Members Present – Chairman Hughes, Secretary Magnoni, and Ron Griebenow
3. APPROVAL OF AGENDA: Motion made by Chairman Hughes to approve the agenda. Seconded by Ron Griebenow. Motion carried.
4. CERTIFICATION OF COMPLIANCE: Agenda posted on County website
5. APPROVAL OF MINUTES: Chairman Hughes made a motion to approve the minutes of the April 11, 2022, monthly Drain Board meeting. Motion seconded by Ron Griebenow and passed 3-0.
6. CORRESPONDENCE: Patricia Cicero passed out a copy of the Crawfish Solar Setback Rules as of May 4, 2022.
7. CITIZENS PRESENT: Patricia Cicero from Land & Water Conservation and Anita Martin, Jefferson County Board District 13.
8. REPORT OF THE DRAINS:

A. DRAIN 16

The Drain Board reviewed the request from Ranger Power, addressed to Attorney Griggs, dated April 21, 2022. The action taken by the Drain Board is attached to these minutes as a separate document due to its length. The Drain Board discussed the setback rules submitted by Patricia Cicero for the Crawfish and Badger Solar projects.

B. DRAIN 15MAIN

The Drain Board reviewed the current status of the assessment billing for the Town of Lake Mills. It appears that this effort will be completed shortly. Secretary Magnoni reported on the current activity of the brushing south and north of Britzke Bridge. Calling landowners to inform them of work to be done has been difficult because telephone numbers are not easily accessible.

C. DRAIN 44

Chairman Hughes reported that he was not aware of any progress to resolve the mapping issue. He stated that a copy of the original invoice was sent on to Engineer Prunuske. Ron Griebenow reported that he had received a check from EMC Insurance Company in Brookfield in the amount of \$1,768.79 as part of the outstanding insurance claim settlement. Ron stated that he had turned the check over to Attorney Griggs.

D DRAIN 23 (DANE COUNTY)

Patricia Cicero reported that she had left two voice messages at Land and Water Conservation in Dane County, however, she had not heard back from them. Secretary Magnoni reported that the Circuit Court date of April 28th has been continued until August 31, 2022.

E. DRAIN 20

Ron Griebenow reported that he had asked Jaeckel Brothers to purchase the culvert from TimeWell Plastic at \$79.00 per foot to be delivered to the landowner's property. The installation of this culvert may have to wait until fall crop out.

F. DRAIN 41

Chairman Hughes and Ron Griebenow reported that their investigation of the culvert issue indicated that the culvert did not need to be replaced. On a separate matter a landowner in Dodge County may request to be admitted into this drain. The Drain Board discussed this request and will await the landowner's appearance at a Drain Board meeting.

9. PREVIOUS AGENDA ITEMS NEEDING FURTHER DISCUSSION

Secretary Magnoni reported he had not heard back from Attorney Griggs regarding Jefferson County's assistance with assessments and mailings.

10. OTHER BUSINESS AS ALLOWED BY LAW:

The Drain Board discussed progress regarding nominations for the Drain Board member appointments.

11. APPROVAL OF INVOICES

The Drain Board reviewed and approved some invoices for payment:

- | | |
|---------------------|-----------------|
| a. We Energies | <u>DRAIN #</u> |
| b. Griggs Law Group | 36 |
| | Multiple Drains |

The detail of invoices paid can be reviewed in the County Finance Office, Room 309. Jefferson County Courthouse.

12. DATE FOR NEXT MEETING

The date for the next meeting of the Drain Board is Monday, June 13, 2022, beginning at 9:30 a.m. in Room 202.

13. MOTION TO ADJOURN

With no further business before the Drain Board, the meeting was adjourned at 11:09 a.m. Moved by motion by Ron Griebenow and seconded by Chairman Hughes. Motion carried.

Respectfully submitted for the meeting of May 9, 2022
Peter Magnoni, Secretary, Jefferson County Farm Drainage Board

Attachment: Letter to Ranger Power

Crawfish Solar Setback – 5/4/2022

All Legal Drainage Ditches that are navigable or non-navigable

- Setback is measured from top of bank
 - o Wisconsin Administrative Code ATCP 48.24(2): “A district corridor shall extend for 20 feet from the top of the ditch bank on each side of a district ditch. A county drainage board may, by giving specific notice to landowners, establish a wider corridor if necessary to permit vehicle access or to protect water quality in a ditch.”
- The Jefferson County Drainage Board determined that the corridor shall be 40 feet as this will provide enough area to spread out soil removed from the ditch during cleanout. At a smaller setback, the excavated soil would create a berm that would restrict drainage of the land to the ditch and could lead to water ponding on the land.
- 40 foot setback to the fence
- Project must comply with Jefferson County Zoning Ordinance restrictions on removing vegetation with 75 feet of the Ordinary High Water Mark of a navigable waterway (JDA 3.e. and JDA 6.a.3.)

Non-navigable Ditches that are Not Legal Drainage Ditches

- Setback is measured from Ordinary High Water Mark
- 20 foot setback to all above ground project components including fences (JDA 6.a..2 and 6.a.3.)

Navigable Waterways that are Not Legal Drainage Ditches

- Setback is measured from the Ordinary High Water Mark
- 35 foot setback to all above ground project components (excluding fences and access roads) (JDA 6.a.2.)
- Maintain minimum setback from the OHWM to all above ground facilities at a distance required by the appropriate State regulatory authority (JDA 6.a.3.)
- Project must comply with Jefferson County Zoning Ordinance restrictions on removing vegetation with 75 feet of the Ordinary High Water Mark (JDA 3.e. and JDA 6.a.3.)



May 12, 2022

FARM DRAIN BOARD
JEFFERSON COUNTY, WISCONSIN
311 S. Center Ave., Jefferson, WI 53549
Peter H. Magnoni, Secretary/Board Member
Email: phmagnoni@gmail.com
Phone: 920-648-3331

Emily Straka
Ranger Power
226 North Morgan Street
Chicago, Illinois 60607

Re: District Drain 16

Dear Ms. Straka:

This letter responds to your letter of April 21, 2022, addressed to Mr. Griggs, regarding Application for Construction or Modification to Approve Specifications for Badger State Solar Project.

The Drain Board reviewed and discussed your request at the May 9, 2022, monthly meeting. Following this review, Chairman Hughes made a motion to request cleaning of the main ditch from north of lateral #1 to Hwy 18 (approximately 1.25 miles); to continue cleaning the main ditch north, north of Hwy 18, eastbound from lateral #1 (approximately 1.12 miles) to Hwy 89 (see color illustration on attached map); to continue cleaning from ditch south (south of Hwy 18) from ¼ mile west of lateral #2 (parcel 30) to ¼ mile east of lateral #5 at the Box Culvert crossing Hwy 18 north (see color illustration map). This motion further included the approval of three culvert installations over district drains as requested which are color illustrated on the attached map. Ron Griebenow seconded the motion which was carried.

The Drain Board is recommending that you communicate to the landowners your intention to do the cleaning. Ranger Power may want to use the Drain Board's monthly meeting (second Monday of the month) to communicate to landowners. Ranger Power should also decide on the contractor you will use. If it will be Jaeckel Brothers then we need to tentatively alert them of this assignment.

Emily, I hope this communication to you does comply with your request to Mr. Griggs, dated April 21, 2022.

Yours truly,

Peter Magnoni
Secretary, Jefferson County Drainage Board

cc: Andrew Griggs
David Hughes
Ron Griebenow
Patricia Cicero

2

