

WINNEBAGO COUNTY DRAINAGE BOARD  
LARSEN DRAINAGE DISTRICT  
Annual Meeting Minutes  
7:00 p.m. on January 25, 2024  
Town of Winchester, 8522 Parkway Lane, Larsen, WI 54947

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I. Call to Order

Board Members:	Howard Miller	PRESENT
	Peter Romberg	PRESENT
	David Sleik	PRESENT
	John Kunde	PRESENT
	Michael Pfankuch	PRESENT

Clerical Support:	Holly Stevens	PRESENT
District Consultant:	Gerald Peterson	PRESENT
Engineer:	Ben Hamblin	PRESENT

II. Approval of Minutes

- A. Approval of the minutes of the September 28, 2023 Winnebago County Drainage Board Larsen Drainage District Meeting.

**MOTION:**

**Motion by Board Member Pfankuch**

**Second by Board Member Romberg**

**Motion to approve the minutes from the September 28, 2023 Winnebago County Drainage Board Larsen Drainage District Meeting as presented.**

**Motion carried by unanimous voice vote.**

III. Open Forum: Drainage District related Matters not on the Drainage District Board Agenda:

NONE

IV. Business:

A. McMahon Group

- a. 2024 General Terms & Conditions for Engineering Services

Engineer Ben Hamblin presented the General Terms and Conditions for Engineering Services document to the Board, explaining that it is a standard agreement which gives him the ability to provide services to the board without having to wait for a meeting, which can sometimes be months away, to get approval for a service proposal. He said it is an efficient means by which to operate. He said substantial, in-depth projects would still go through the proposal and approval process, however, there are no major projects at this time.

The Board reviewed the agreement and found it to be in order.

**MOTION:**

**Motion by Board Member Pfankuch**

**Second by Board Member Kunde**

**Motion to accept the 2024 General Terms and Conditions for Engineering Services as presented by McMahon Associates, Inc.**

**Motion carried by unanimous voice vote.**

- b. 2024 UAV Survey Proposals
- Winnebago County Land and Water
  - McMahon and Associates

Admin Stevens reviewed that, as discussed in previous years, the Board is statutorily required to perform an annual inspection of the entire drainage corridor. The options for inspection include a UAV Drone Survey or a “boots on the ground” inspection. The Board has satisfied the statutory requirement in 2021, 2022, and 2023 by completing a UAV survey the data from which was then implemented into the GIS database for the district.

McMahon has coordinated and provided the UAV survey for the Board for the past three years. They have provided an estimate of \$3,000 (same as last year) to complete a UAV field survey this year.

Alternatively, Winnebago County Land and Water has recently acquired a drone. Chair Miller met with department staff to inquire about the possibility of interdepartmental cooperation. He reported that they too could perform the survey for the same rate--\$3,000. Chair Miller also noted they discussed “housing” the public access to the Drainage GIS data, but the department indicated they do not have the capability to do so as their access is for internal use only.

Admin Stevens noted the alternative option for completion of the annual inspection is for the board to complete a “boots on the ground” survey to satisfy the statutory requirements. The details for such an inspection would have to be fully identified but would at a minimum require walking the entire corridor and documenting the issues and concerns. The Board members would likely each be assigned a specific section of the corridor (approx. 1.5 miles each) and would have to inspect and provide a report for their section. The Board members could utilize the GIS database to upload photographs and notes from their inspections which then would have to be compiled into a final, comprehensive report. It was also noted that the data from the inspection is utilized and necessary to complete the Annual Report to WI DATCP, which is due in the fall, which in turn will result in the need for survey and reporting to be completed by mid-July or early August.

The Board discussed the options and determined that the most efficient and effective option is for McMahon to continue managing the survey.

Admin Stevens said she would send out notices informing landowners of the pending work as well.

**MOTION:**

**Motion by Board Member Kunde**

**Second by Board Member Pfankuch**

**Motion to approve the proposal from McMahon Associates, Inc. to complete a UAV Drone field survey for a cost not-to-exceed \$3,000.**

**Motion carried by unanimous voice vote.**

c. 2024 UAV Data Implementation Proposal

Admin Stevens reported that McMahon is willing to implement the data resulting from the UAV field work into the District's GIS database for a cost of \$2,500 (an increase of \$500 from last year) regardless of who performs the UAV fieldwork (McMahon or WC Land and Water).

Engineer Hamblin explained the reason for the increase in costs is to include the additional work to make the GIS data publicly accessible.

**MOTION:**

**Motion by Board Member Romberg**

**Second by Board Member Pfankuch**

**Motion to approve the proposal from McMahon Associates, Inc. to implement the UAV field study data into the District's GIS database for a cost not-to-exceed \$2,500.**

**Motion carried by unanimous voice vote.**

B. GIS Public Platform Update

The Board reviewed that during the previous meeting they voted to provide access to the District's GIS data to the public. In order to do so, an online hosting platform must be determined.

Since the Drainage Board is a county entity, Chair Miller investigated the possibility of the County providing the data on its website, which is a logical location for the public to look for the information. Chair Miller again noted that Land and Water Department Staff indicated they would not be able to provide the service.

Admin Stevens suggested a link could be included on the websites of the Towns in the district (Winneconne, Winchester, and Clayton). She said the link could direct people to the ARC GIS for review.

Engineer Hamblin said they would investigate "read only" for the information to determine what would be the best solution.

Engineer Hamblin also noted that Sam Pociask was unable to attend the meeting but intends to present a basic review of the GIS for the Board Members to review how to use the system.

C. Bank Brush Cutting / Mowing

a. Review of 2023 Work Completed West of STH 45

Chair Miller confirmed the work was completed. He said all reports he has received were good.

Gerry Peterson, 5707 Lakeview Road, confirmed the work was completed and well done.

b. 2024 Maintenance Considerations

The Board discussed the continuation of the maintenance work. It was determined that continuing with the next section to the north of what was just completed was the area most logical to work through. It was noted that they may want to review the information gathered during the spring UAV survey prior to initiating the work.

It was determined that requests would be made for estimates to perform brush cutting and mowing for two sections along the Arrowhead River. The first section would be both sides from STH 45 north to Oakridge Road. The second section would be both sides from Oakridge Road north to Hickory Avenue (formerly CTR T) as needed.

Board Member Pfankuch noted that during the discussion at the last meeting, how to deal with the larger trees was a bit of a sticking point. He asked the other Board Members how they would like to deal with the larger trees.

Board Member Kunde said that the larger trees should stay unless they are in danger of falling into the ditch. The Board determined that trees smaller than 10-12" in diameter should be removed with the exact size for cutting to be determined by the capability of the equipment.

The Board will review the estimates at the next meeting.

D. Secondary Ditches – Federal Funded Clean-out and Maintenance Program

Board Member Romberg report he again reached out and was very disappointed with the response he received. He explained there was a lot of "double-talk" which when scrutinized, indicates there is no funding available for the project. He expressed his frustration with the entire program because they essentially delayed the needed work for almost two years. He noted that there may be grant money available for individual property owners, but nothing for the district which would have coordinated the entire project. He was not confident that the individual property owners would complete the process.

Board Member Romberg said if nothing is done, the poor conditions of the secondary ditch are going to affect everybody over time. He said the Board could go to the property owners to request they complete the work. He also noted the Board has the authority and could complete the work and then access the property owners.

Board Member Sleik said he does not want to get screamed at by the property owners.

Board Member Romberg explained that the property owners were all agreeable to the project. He said the Board has to decide how to proceed.

Chair Miller said he would reach out to the federal agency and see if they will give the survey data they completed to the Board. He said they may be able to use the information to determine what the project would entail.

E. Sediment Removal Project located along parcel Erosion along Parcel 028-0941 (William Pucci Property)

Board Member Kunde reported he was able to access the site and removed most of the sediment deposited in the corridor. He said he was waiting for the rock to be delivered to finish the project, Board Member Romberg was unable to get the rock ordered and delivered before weather conditions changed, preventing access. They said they would continue to monitor conditions and complete the work when able.

Board Member Kunde added that he also was able to remove two large box elder trees from the east side of the river.

F. Financial Policy and Determination of Minimum Fund Balance Amount

Admin Stevens reported that during the last meeting, there was discussion about the depletion of the Drainage Board's Fund balance. Concerns were raised about the need to keep the fund balance large enough to deal with potential emergency situations such as a tornado or a flooding event. In such situations, the Board would be responsible for rebuilding or repairing the corridor if substantial damage occurred (i.e. bank failures, blockages, etc.). It is the responsibility of the Board to protect the surrounding lands by restoring drainage, and in order to do so, a certain amount of funding should be reserved to facilitate such work. During the discussion, Engineer Hamblin, having experience with large scale projects similar to such a situation, recommended building the balance to \$500,000.

Admin Stevens reported that currently, the fund balance is approximately \$160,000. The following information was also presented.

**Fund Balance History**

Fiscal Year End	Fund Balance	Tax Rate Change	Income	Spending	Operations Shortfall
08/31/2017	211943	No change	13490	21148	-7658
08/31/2018	204285	Decreased -10%	12154	0	+12154
08/31/2019	216439	Decreased -20%	9734	29612	-19878
08/31/2020	196561	No change	9770	22609	-12839
08/31/2021	183721	Increased +20%	12046	35682	-23636
08/31/2022	160086	Increased +10%	13056	7772	+5284
08/31/2023	165370	Increased +20%	15667	~25000	-9333

The fund balance has decreased 22 percent since 2017.  
Revenues year over year have an aggregate decrease of 5 percent.

With spending outpacing revenues, the district is on the path to insolvency. The Board is obligated to maintain the corridor whether the funding is available. If maintenance is required due to an emergency or other unforeseen circumstance, the Board would be forced to borrow funds, the debt service payments for which would then be passed along to the property owners in the district. It is recommended that the Board avoid this situation by taking the fiscally responsible steps to build the district's financial health to a point where annual operations are funded through manageable annual tax assessments, and the fund balance is substantial enough to support a catastrophic event. Achieving this goal will likely take several years, but if the Board establishes and abides by a financial policy, it is achievable without unnecessary, substantial impact on the individual property owners.

Chair Miller asked the Board to have a discussion regarding the establishment of a Board Policy and to develop a path forward. The Board should consider setting a minimum fund balance earmarked to provide needed monies to respond to unexpected emergency situations, as well as a 3- to 5-year maintenance plan which includes the estimated costs for completion. These annual cost estimates would then be utilized to calculate the necessary tax assessments, so the tax revenue generated covers the annual operations and protects, and ideally builds the fund balance. With small, incremental tax increases and with methodical, planned maintenance, it is possible for the Board to fulfill its obligations to the district property owners without overburdening them with excessive, unexpected tax increases.

Chair Miller asked what the Board thinks a reasonable fund balance requirement would be.

Admin Stevens said you cannot predict the unpredictable, but you have to be ready to react to it.

Board Member Sleik said they charge landowners and if they sit on it, they do not gain enough interest as compared to the landowners themselves...he said he would make a motion that they hold \$75,000. He said that is enough to get somebody in. He said if it is caught under a bridge on a county road or a town road, it is not necessarily the district's problem, and if all we have to do is get a tree out—that is not the end of the world. He said it is not like there will suddenly be a dam and no water flows—he said Lake Poygan already is like a dam.

Board Member Romberg asked Admin Stevens what the estimated annual operating costs will be if the Board continues with McMahon and basic maintenance.

Admin Stevens said she would estimate the operating costs to average at about \$25,000 to \$30,000 annually if no big projects are needed. She said she can research the past few years to confirm that as correct.

Engineer Hamblin said the Board will should calculate the annual operating costs including mowing and other maintenance, the Board's administrative costs for notices and meetings, the engineering costs for the annual UAV surveys and annual reporting requirements, etc. and then add three to five percent to that. That total amount should be used to calculate the annual tax assessments. He suggested the Board add a little more, to build a fund balance to cover any emergency work which could come up. He said once you meet the threshold of what the Board determines is needed, then the assessments can level off and maintain.

Admin Stevens explained again that annually the tax assessments charged to property owners do not cover the annual operating costs.

Board Member Sleik said the Board had over \$200,000 of landowner's money that really wasn't working for them. He said we have to show them we are doing the work.

Admin Stevens said the Board has been completing work consistently and the fund balance continues to be depleted.

Board Member Sleik agreed they have been getting work done in the past couple years, but it sat there for ten years.

Admin Stevens said she thought that was due to some legal issues the Board had with the DNR which put everything on hold but now the Board has been completing maintenance work which will continue to decrease the fund balance.

Board Member Sleik said the Board has to set where they want the fund to go down to. He said his thought would be \$50,000--\$50,000 to \$75,000. He said he does not think they should sit on all this money, but he is only one member.

Board Member Kunde noted that what the Board is proposing for maintenance this year is a bigger project and is going to probably cost even more money. He said they did one-mile last year and now they are talking up to 4 miles. He said it is going to be a lot more and the money will go fast.

Board Member Romberg noted that costs are only going to continue to go up. He said he thinks they have to factor in more than the 3 to 5 percent increase because in reality it is going to go up more than that.

Engineer Hamblin asked if there was a statutory requirement to have an emergency fund based on a percentage of operating costs or something. He said municipalities, water, and sewer utilities, etc. all must have some sort of emergency fund.

Board Member Pfankuch said he knows the Sanitary District is required to have an emergency fund in order to get its permits.

Admin Stevens explained that is based on the value of the plant infrastructure. She said the Drainage District does not have any constructed infrastructure other than the river itself. She said there are possible failures which could occur and would have to be dealt with. She said bank failures resulting from a flooding event could be catastrophic. She agreed that if a bridge failed, it would not necessarily fall on the district but the towns or the county may not be able to respond immediately, and the district may have to take initial action and then get reimbursed later. She said the district has to be financially capable of responding to get the service of the district up and running as quickly as possible.

Engineer Hamblin noted that the county or towns may have other, higher priority work if a widespread event occurs. The district may be the only one available to respond. He said if the Board has the opportunity and the means to take action and does not, and someone's property

gets damaged, the Board could be considered negligent. He said to have that cash on hand to handle that stuff is important. He said the question is, how much?

Board Member Romberg said he thinks it is important to look at how many people are paying right now. He said they need to look at options to see what would happen if they expanded the number of people paying.

Admin Stevens said she has watched the balance decrease rapidly and the remainder is going to go fast if the Board doesn't do something to preserve it. She explained that this is a policy which the Board is adopting. She explained that they, as a unified Board, will determine what is a reasonable and enough funding to keep on hand in reserve in order to be fiscally responsible to the district property owners should a catastrophic event occur. She said there is some flexibility in the balance. She explained that they just need to determine what is a good amount and they need to keep a balance as close to that as reasonably possible—she said it is a financial plan. She said it gives you a point at which you have to take notice and really think about what you are spending. She said if the Board keeps spending without setting some sort of limit, the money will soon be gone. She said the Board does have an obligation to spend the tax dollars to benefit the taxpayers, but they also have a responsibility to them to be ready should the worst happen.

Matt Olson, 8303 Sauby Road, suggested that instead of picking an arbitrary number, that this should be an ongoing discussion at the next meeting. He said research should be done to see if there is a law of any kind that would guide the Board, and to review the annual costs, and then see how the Board Members feel after having more information.

Board Member Sleik said there have been a lot of boards which have dissolved basically over this thought process. He asked Engineer Hamblin at what point is the district no longer solvent. He said basically if the Board is liable for flooding, every farmer could come after them for flooding every year. He said basically that water has nowhere to go—he said we are fighting a losing battle—at what point do we basically dissolve like all the rest of them have in the state. He said it is getting awfully expensive for us, and if we spread it over a whole bunch, it doesn't make any difference. He said basically we keep spending a lot of money on something—and I will sit here and fight as hard as anybody—that basically property that is 40 feet higher than that ditch. That water ran that way for history—realistically how much value is there in that. He said there is value in cleaning the ditch from Romberg Road but basically, that area is in the drainage district. The other side of Breezewood is not so therefore, basically, quite frankly, you are going to flood out Breezewood long before you basically worry about other people's property as to historical levels. And we get back into Allenville or we get back into any of these other areas—they are so much higher than what that ditch was. He said the ditch was designed to drain basically back into Klusman's and Salm's and supposedly up into Larsen. But at what point are we spending so much money that the value isn't there. He said if we start spending hundreds of thousands of dollars, basically the land that is in there will pay more than your school district taxes.

Admin Stevens noted that no one is proposing to spend hundreds of thousands of dollars. She noted that if the Board does not maintain the Arrowhead, it will look like the Romberg ditch within just a few years and then the property owners will be screaming for a drainage board to manage the ditch. She said systematic, annual maintenance is needed in order to keep the ditch working.



Board Member Sleik said the landowners need to decide if we put that up that way. He said basically they are trying to shove down everyone's throat what they do or don't want. He said that is his question—the benefit versus the not. He said he is one person so....

Admin Stevens noted that drainage systems “technology” has vastly improved—drain tile is a lot different now than it was a hundred and fifty years ago.

Board Member Sleik said the house that is built and every barn that has been built.

Admin Stevens agreed. She said drainage technology has improved and more water flows more easily because of it.

Board Member Sleik said part of their problem is that basically they are butting their heads up against the dam in Neenah. Realistically, Chair Miller has shown that water flows backwards in the summer and that ditch doesn't go dry or realistically, if you take six feet of water there is not six feet of water in there which is what your artificial height is. So, this is going to keep flooding there no matter what you do through the mouth of the river. And unfortunately, we are fighting—we could have the best pipe here and all it is going to do is flood the guys on the lowest end because water runs up hill, but it can't go up into an ocean—we are trying to cram water that doesn't have a place to go.

Board Member Pfankuch asked what that has to do with the financial policy of the Board.

Admin Stevens said as a Board, you are obligated to be financially responsible to the property owners.

Board Member Sleik said at what point is it too expensive. He said there has to be a way to dissolve the Board at some point like every other one has gone defunct, where basically where people quit paying in.

Admin Stevens noted there are a lot of drainage boards across the state. She noted there are 72 counties in Wisconsin and if each one had only one district, there would be 72 districts. She said there are 72 counties so there are 72 boards. She said there is only one district in Winnebago County, but other counties have more. She said she thinks this Board serves a very important purpose—she said they just have to take financial steps to make sure the Board can continue to support the work. She said, “slow and steady wins the race.” She said no one is proposing a \$500,000 project—she said they have been working on systematic maintenance every year, but costs will continue to go up. She said the Board needs to manage its finances just like each of them manages their homes and their businesses.

Engineer Hamblin agreed noting there are 176 active drainage districts in Wisconsin.

Chair Miller said he would investigate this further to see if there are any state statutes identifying a specific requirement. Chair Miller said he tried to reach out to Bart Chapman, WI DATCP, but was not able to connect. He said he will continue his research.

#### G. Racine County Litigation Update and the Statewide Impact of the Ruling

Chair Miller noted that he had provided the Board with a couple news articles about the ongoing litigation in Racine County relating to adding property to drainage districts and the authority they have to charge people even though they are not specifically in the ditch. He said the case is ongoing and nothing has been decided. He said they are informational only.

#### H. Watershed Properties / District Expansion

Chair Miller said he would like the Board to discuss and provide their opinions regarding potential District Expansion. It is recognized that the original intent for developing the corridor was to benefit the adjacent ag land properties, improving drainage for crops. However, since more than 100 years has passed since the establishment of the corridor, the Board must recognize the technological advancements in drainage processes which have extended the benefits of the corridor drainage far beyond the adjacent farmlands. Additionally, statutory authority has been expanded, providing the board with jurisdictional authority over secondary ditches.

Chair Miller noted that what the Drainage District charges is minimal. He noted that the Town of Clayton charges much more for stormwater management. Admin Stevens said Clayton charges about \$230 for each residential property and vacant land is charged about \$25 per parcel. Board Member Pfankuch said he knows the Clayton tax generates more than \$250,000 per year for stormwater management.

Chair Miller asked if the Board wants to investigate expanding the district to include everyone in the watershed. He suggested developing a tiered system based on elevation and distance or other factors. Chair Miller said the drainage ditch is handling the water from the entire watershed, so some sort of charge would be justified.

Board Member Romberg said the Board should look into this.

Admin Stevens noted the Board should recognize that if the district is not expanded to include additional properties, the current property owners will likely see significant increases to rates which will be necessary to cover the costs for general maintenance. She explained that if the costs are spread across more properties, the individual impact will be less. She noted that Engineer Hamblin has estimated the total acreage in the watershed to be in excess of 20,000 acres.

Engineer Hamblin confirmed that the watershed includes 2,616 parcels which are partially or wholly contained in the watershed.

Admin Stevens suggested quick, basic math calculations show the increase in revenues that will be generated by expanding the district.

Board Member Sleik said that doesn't work because some parcels are 40 acres, and some parcels are 1 acre.

Admin Stevens explained that currently, the district charges a base fee based on whether a property is vacant land or has improvements and then a per acre fee is added to the base fee. She suggested quick math can provide an idea of potential revenues. She also noted the tiered system has value assigning a lower charge for properties located further from the river. She

noted that the impact would be minimal for the individual property owners. She said the Board will get push back because it is a new tax, but the tax is because they are benefiting from the district.

Gerry Grundman, 5831 Main Street, Butte des Morts, disagreed stating that if you are 40 feet above level, it doesn't matter, you are not getting any benefit. He said that before the ditch was dug you didn't have the benefit then—there is no benefit.

Engineer Hamblin noted that the parcel will still generate stormwater that runs off and contributes to the inflow to the ditch.

Gerry Grundman said it never did before.

Board Member Sleik said they are up against a wall, basically, Lake Poygan is a wall of water. He said the Winnebago system is our problem. He said if we truly could get rid of water, that is a whole different thing.

Admin Stevens noted that the Winnebago system is not the discussion. She explained that the discussion is that the water from all the parcels in the watershed...

Board Member Sleik cut her off stating the water goes to the lowest point. Admin Stevens agreed, noting the lowest point is the drainage ditch.

Board Member Sleik said water runs downhill and he does not know of any state law that basically says that if water runs downhill, you have an obligation to stop it.

Admin Stevens noted that the Board is not asking them to stop the water—the Board would be asking them to contribute to the management of the water.

Engineer Hamblin noted that the infrastructure that provides for the conveyance of that water is the drainage ditch. Chair Miller said if you are 40 feet above the level of the lake, you are still generating water that is flowing through that river.

Gerry Grundman said it always has and trying to charge somebody is not right.

Chair Miller said he understands that the water has always flowed to the ditch, but the Board is paying to maintain the waterway.

Admin Stevens noted that it is not fair for some property owners to pay for the ditch while others who also contribute water to it do not pay.

Gerry Grundman said they are not receiving a benefit—their property didn't flood then either.

Matt Olson, 8303 Sauby Road, said the benefit is the conveyance of the water. He said if you are high enough that your property doesn't flood, that is one thing, but you have run off at some point in the year. He said every parcel in the watershed definitely has runoff at some point in the year. He asked where is that water going—it is going to the ditch.

Gerry Grundman said he is not arguing that.

Matt Olson said if the water is going to the ditch, you should be contributing to the maintenance of the ditch.

Board Member Sleik said then they will not be able to charge the State of Wisconsin which is one of the bigger dumpers in here with their highway the way they built it there.

Matt Olson clarified that Board Member Sleik was saying that because the Department of Transportation won't pay, then nobody should pay.

Board Member Sleik said what he is saying that if they want a room full of hornets' nest—we are playing with fire. Realistically, he can actually see some benefit—he is not going to argue with that, but he can also see his neighbor that is basically looking at him and asking why is he paying for this when he never has had to before. He said we are starting a new tax. He said that is basically what you are doing—you are putting a new tax on any parcel in the watershed. He said that is what you are doing—any parcel that is not already in the drainage district will have a new tax on it and unfortunately taxes just keep going up and people keep getting pissed off. So, it comes to a point...it would be different if we actually could change something here. He said they are basically beating their heads up against a wall—the system is probably broken and it's never going to be fixed. He said the Town of Winchester can't clean out a road ditch.

Matt Olson disagreed stating they can and do clean out ditches. He said they figure out where the problem is, they will manage it, and they get the work done if there is a problem.

Chair Miller asked the Board if they wanted to develop a plan of action—what will it look like to do this—do we want to research what the steps are?

Admin Stevens suggested the Board decide if they want to put all the costs on the backs of the existing landowners being charged or if they want to expand the costs across the entire watershed, reducing the individual financial impact. She noted various factors which would determine the rates including proximity to secondary ditches, elevations, distance from the ditch, etc.

Board Member Romberg asked if the Board could start there and put some numbers together to get an idea of what the rates would be. He said they have to know approximately how many people would be affected—he said we do not know that right now. He said the Board cannot make an educated decision without having even basic information. He said he needs to know what adding everyone in the watershed would look like, or adding the properties within a certain distance would look like, or what leaving it the way it is would look like.

Admin Stevens said that information would have to come from the Engineer. She asked Engineer Hamblin if he would be able to provide the Board with an estimate for services to put together the basic information Board Member Romberg was describing.

Board Member Romberg said he wants a better understanding of the costs they are looking at in order to make an informed decision.

Admin Stevens asked to clarify if he was looking for the cost for the engineers to do the study and program development or is he looking for the potential revenue associated with expansion. Board Member Romberg confirmed he is looking for both.

Engineer Hamblin noted that he had recently met with his former boss, Carl Sutter, who used to be the Engineer for the Drainage District. He explained he is now retired, but he came in to discuss the district. He said the district was in a similar situation back in the early 2000s. He said that Mr. Sutter said it was a very unpleasant experience. He said it is correct that a lot of people see this as a new tax or a new fee even though the numbers were small--\$5 or \$10. He noted that when you spread it over 2,600 parcels, it will still be cheaper than a couple old fashioned at the Century Elm. He said if you put it in perspective, it is really almost nothing. He said the problem they had was getting people to understand that despite the fact that they may not even know where the Arrowhead River is, they are still contributing to the water that goes there. And that responsibility should not just be borne by the properties immediately next to the river, but by everyone who is contributing to the system.

Engineer Hamblin explained he has been in similar situations in other communities where they do not understand the value. He said it does take a couple meetings to explain it and let it sink in, but eventually, people get it. He said they also eventually get the fact that if they all cooperate, they see the benefit of mass cooperation—if they all can carry just a little bit, everything is going to be okay. He said the best thing that is helping the Drainage Board is your annual operating expenses are not much. He said the biggest question you have to answer is what the biggest expense is you think you might have to handle and how much money you would have to have to handle it. He suggested the Board figure out that first—what kind of money do you need to save, then what do you need each year for maintenance—then you can figure out how to get there.

He said if the Board wants an emergency fund of \$75,000, then you are already there. But if you want an emergency fund of \$200,000, then you have to figure out how you are going to get there. He said then, once you have met the financial goals and the emergency fund is in place, and you have a capital improvement plan in place, and basic maintenance operations are identified—then you can determine what revenues will be needed. He said you have to have that information before you go to a public hearing to expand the district—you need that data to present to the public. He said having good, solid information to provide to the people will make it easier for them to understand it.

Admin Stevens also noted the earlier discussion about special assessing individual property owners for projects. She said she is certain that almost everyone would rather see a \$10 charge annually on their tax bill rather than a \$5,000 or more special assessment—even if the district financed a special assessment charge over a number of years, it would still be significantly more than a potential annual fee resulting from a district expansion.

Board Member Sleik asked if she was saying they are going to manage all the secondary ditches—he said their budget basically quadrupled. He said they might as well buy the equipment because they are going to have hundreds of thousands of dollars to manage 200 miles of bank.

Admin Stevens said she did not know the answer to that—she said she does not know how many secondary ditches there are or what the Board's goals are, but earlier in the meeting they had a 20-minute conversation about the need to get the Romberg ditch cleaned out and special assessing the property owners for the work.

Board Member Sleik said he understands that. He said he didn't say he agreed with it—he just said he is listening. He said he is not trying to blow up other people's ideas—he didn't say that he agreed with it or didn't agree with it.

Admin Stevens said she was just explaining the Board's choices using that comparison.

Board Member Sleik said he is just pointing out that their eight miles of ditch will suddenly turn into one hundred miles, and it might look like they are bringing in money to help our eight-mile ditch but if we have to start messing around with secondary ditches—it's a hell of an undertaking. He said you are opening up a lot of different games there.

Engineer Hamblin clarified that the district does not have to take on the secondary ditches.

Board Member Hamblin said he understands that, but it was brought up as one of the possibilities—expanding the district would make it so that we wouldn't have to go to the property owner and say they are responsible for the work—everyone would be paying for it. He said it would basically look nice for them but that is basically what Admin Stevens was saying would happen here. He said that is the challenge here—if you open it up to that point, it gets very sticky here.

Engineer Hamblin noted there is language in the Drainage Board Handbook about how to handle secondary ditches relating to allocation of costs. He said certain percentages are supposed to be handled by the entire drainage district and then certain percentages are handled by the individual property owners.

Board Member Sleik clarified that what he is saying is that their little budget will definitely get bigger.

Engineer Hamblin noted that what Admin Stevens was saying is that if the work needs to be done the district can do it and charge them a special assessment, or the other option is to let those property owners do the work on their own.

Board Member Pfankuch said the other option is to do nothing at all.

Admin Stevens asked if Engineer Hamblin if he could put a proposal together to do an initial study which would provide the data needed to decide if and how to move forward.

Board Member Pfankuch asked Chair Miller to query the Board to see if they would like to proceed with this.

Chair Miller said he would like to see if the Board would make a motion to take the first step to gather some of this basic information.

**MOTION:**

**Motion by Board Member Romberg**

**Second by Board Member Pfankuch**

**Motion to have McMahon Group compile basic information identifying the potential revenue generation through district expansion, as well as the potential cost increases**

**associated with annual operations resulting from district expansion, and any other information pertinent to the district expansion.**

**Roll Call:**

<b>Board Member Pfankuch</b>	<b>Aye</b>
<b>Board Member Romberg</b>	<b>Aye</b>
<b>Chair Miller</b>	<b>Aye</b>
<b>Board Member Kunde</b>	<b>Aye</b>
<b>Board Member Sleik</b>	<b>No</b>

**Motion carried with a vote of 4-1.**

**I. Board Member Term Expiration / Renewal – Peter Romberg**

Admin Stevens reviewed that in March, 2021, the Winnebago County Circuit Court Branch 3 under the jurisdiction of Judge Barbara Key held a hearing according to WI Statutes § 88.17 to review nominees and appoint members to fill vacancies on the Winnebago County Drainage Board.

Judge Key made appointments for progressive terms which will allow for one seat to be reconsidered each year. As the progressive terms are reviewed, they will be converted to 5-year terms to allow for the statutorily required staggering 5-year terms. The remaining terms from Judge Key's decision and appointments are as follows:

- Peter Romberg, 5200 Breezewood Lane, Winneconne, for a term of 3 years (expires 2024)
- John Kunde, 4654 Grimson Road, Oshkosh, for a term of 4 years (expires 2025)
- Michael Pfankuch, 4556 Grandview Road, Larsen, for a term of 5 years (expires 2025)

Commissioner Sleik and Chair Miller have already gone through the term renewal process. They are now serving five-year terms as follows:

- David Sleik, 7547 Green Meadow Road, Oshkosh, 2022 renewal for a term of 5 years (expires 2027)
- Howard Miller, 5468 Grandview Road, Larsen, for a term of 5 years (expires 2028)

In order for the Board to continue operating according to State statute, Peter Romberg's term should be reviewed by the Circuit Court and appointment should be made for a full 5-year term.

Board Member Romberg indicated he is willing to continue serving for the next 5-year term.

Admin Stevens said she would include notification of the term expiration in conjunction with the landowner notice relating to the corridor inspection (UAV field work) which is sent to all landowners within the District, the Towns of Clayton, Winchester, and Winneconne, the Winnebago County Land and Water Department, the Winnebago County Farm Bureau, the Winnebago County Planning and Zoning Department, the UW Agriculture Extension, Wisconsin Department of Agriculture, Trade and Consumer Protection, and the Wisconsin Farm Bureau Federation. She said the Board should then submit Mr. Romberg's name as the incumbent, along with any other nominations received.

The Board directed Admin Stevens to complete the notification process.

J. Accounts Payable

The Board reviewed the meeting attendance per diem log for this meeting totaling \$271.44. No other claims were made/due at this time.

The total of the accounts payable is \$271.44.

**MOTION:**

**Motion by Board Member Kunde**

**Second by Board Member Romberg**

**Motion to approve and pay the accounts payable as presented.**

**Motion carried by unanimous voice vote.**

M. Next Meeting and Board Member Requests for Agenda Items

The Board set their next meeting date for Thursday, June 20, 2024 at 7:00 p.m. at the Winchester Town Hall.

The Board also tentatively scheduled the Annual Meeting date for Thursday, September 19, 2024 at 7:00 p.m. at the Winchester Town Hall.

V. Adjournment:

**MOTION:**

**Motion by Board Member Pfankuch**

**Second by Board Member Romberg**

**Motion to adjourn at 8:28 p.m.**

**Motion carried by unanimous voice vote.**

Respectfully submitted,  
Holly Stevens, Clerical Support