

WINNEBAGO COUNTY DRAINAGE BOARD  
LARSEN DRAINAGE DISTRICT  
Meeting Minutes  
7:00 p.m. on May 26, 2022  
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
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District Consultant:

Gerald Peterson	PRESENT
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II. Approval of Minutes

- A. Approval of the minutes of the February 3, 2022 Winnebago County Drainage Board Larsen Drainage District Meeting.

**MOTION:**

**Motion by Board Member Pfankuch**

**Second by Board Member Kunde**

**Motion to approve the minutes from the February 3, 2022 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:

- No Comments

IV. Business:

A. GIS Updates and Discussion

Ben Hamblin, McMahon Group, reported they made three field trips to complete the inventory of corridor inlets/drains, etc. He reported they also identified the Diggers Hotline items within the corridor as a reference item for future projects.

Sam Pociask, McMahon Group provided a brief review of the GIS platform and the how to search and explore the new information added to the system.

B. Corridor Maintenance – Plan Development

Ben Hamblin provided the Board members with an updated spreadsheet which identifies and ranks the maintenance items identified by the UAV studies, as well as by the field team. Sam Pociask pulled up the images available on the GIS system for the Board to review.

Chair Miller and Board Member Pfankuch volunteered to work together using the GIS to review the highest priority issues, identify the property owners, and determine actions needed. The Board discussed how to handle those which need attention, and it was determined letters would be sent to property owners first to see if any is willing to correct the issues themselves. If the property owners are not willing or able to assist with the issues, the Board will discuss the issues further at the next meeting.

C. Water Levels

Chair Miller provided the tracking data for the flow rates of the corridor. He noted there is only about a 1½ inch difference in elevation over 14 miles from the corridor to Oshkosh. He also reported the corridor is flowing at about 12 cubic feet per second while, in comparison, the Fox River flows at a rate of 6,700 cubic feet per second. In summary, the corridor has very low flow and there is essentially nothing the Board can do to increase flow. The Board determined the best they can do is to keep the corridor free of obstruction.

D. Stormwater Runoff Management/Implementation of Required Permitting

Chair Miller provided the following information which he had researched to date:

*We are required by state statute to start permitting any additions to our drainage district. This includes anything which drains directly into the ditch, or into a secondary ditch, which includes a field drainage ditch or road ditch. Please read the attached documentation.*

*Outagamie County has done a lot of work in this area, and I have included two of their documents. (Stormwater Guidance & Stormwater Management Application) Please review this information.*

*I have been in contact with Alvin Kramer of the Outagamie County Drainage district. He believes a farmer should not have hire an engineering consultant to install a tile line in his field. We need to help in that effort.*

*This is a topic that needs to be discussed at the annual meeting of the Wisconsin Association of County Drainage Boards. We need to generate a list of concerns with this permitting process.*

*What information would be reasonable to provide with a tiling application?  
We can discuss any additional suggestions at the meeting.*

*Examples: Size of discharge pipe:*

*Location of discharge pipe*

*Acreage to be drained:*

*Soil type in drainage field:*

The Board discussed the permitting requirement and determined that unless a drain is directly discharging into the corridor, there is very little the Board can do to monitor additions. If a new tiling system or drain is directly draining into the river, the Board would need only very basic information possibly including the size of tile, the total acreage being drained, and maybe the type of soil being drained.

Chair Miller explained he is simply trying to get a better understanding of the data the Board would like to see, and feels is reasonable to gather. He said he would like to attend the Wisconsin Association of County Drainage Board meeting at the end of the year to gather more information about the required permitting and about what other districts are doing in that regard.

E. District Boundary

1. Identification of Northern Border

Discussion at the February meeting revealed there was confusion regarding the northern district boundary. As a result, Chair Miller did some research regarding the border. This is what he found:

***North End of Drainage Ditch:***

*To date, I have found two documents that show the north end of our drainage ditch ends ¼ mile south of Fairview Road or at Highway 10. These documents are:*

*1930 Map*

*Dec. 1961 elevation drawing of the 1963 reconstruction project.*

*(These will be at the meeting for you to review).*

The Board discussed the fact that their maintenance boundary is different than the district taxation boundary. The northern end of the district was identified as stopping about a quarter mile south of Fairview Road. It was noted there are lands north of that point which are taxed by the district, but the ditches on those properties are the owners responsibility. They are taxed because the water from their properties flows into the corridor. These ditches are equivalent to the private ditches along the corridor which drain into the river—these too are the property owners responsibility.

2. Annexation of Benefitted Properties

The discussion about expanding the district boundaries was continued from the February meeting. Chair Miller reported he had reached out to Bart Chapman, DATCP Engineer. Their exchange is below:

***Chair Miller's question to Bart Chapman***

*Are there any guidelines for adding property into the district? Wisconsin Statute 88.78 talks about adding land that "benefits" the property, however I don't see a good definition of the term benefit. Clearly any property within the watershed has the runoff going thru the district, and benefits from the ditch. However, you can also claim that*

*some of the property being on a hill that is 75' above the elevation of the ditch receives little direct benefit. If the ditch were not maintained runoff from that hill would have little effect to the landowner on the hill. This same runoff would harm the lower lying property owner.*

***Bart Chapman's response***

*Clearly any property within the watershed has the runoff going thru the district, and benefits from the ditch. However, you can also claim that some of the property being on a hill that is 75' above the elevation of the ditch receives little direct benefit. If the ditch were not maintained runoff from that hill would have little effect to the landowner on the hill. This same runoff would harm the lower lying property owner.*

*The county drainage board can consider other factors that are relevant when assessing benefits to parcels. Please see ss. ATCP 48.08 and 48.10 for benefit assessment information. There have been several drainage districts which have successfully annexed lands that are upstream of the district.*

Chair Miller provided copies of the statutes referenced to the Board.

Board Member Sleik stated he did not feel the district should expand at this time and made the following motion:

**MOTION:**

**Motion by Board Member Sleik**

**Second by Board Member Kunde**

**Motion to postpone discussion regarding the expansion of the district boundaries.**

Board Member Pfankuch noted that at some point the district is going to face a large project and it will have to determine how to pay for it. He said they have two options— increase the taxes on the existing properties or expand the district to include more properties, distributing the tax across more properties which will keep the rate lower.

Ben Hamblin agreed noting the district will likely face dredging, etc. and should preplan how that will be funded.

Chair Miller called for a vote on the motion.

**ROLL CALL VOTE:**

<b>Romberg</b>	<b>Aye</b>
<b>Sleik</b>	<b>Aye</b>
<b>Miller</b>	<b>Aye</b>
<b>Pfankuch</b>	<b>Nay</b>
<b>Kunde</b>	<b>Aye</b>

**Motion carried 4-1**

Chair Miller noted he would like to gather more information regarding the identification of taxable properties at the Wisconsin Association of Drainage Board

meeting—specifically, how other districts define “benefitted properties” as it is written in statute.

The Board confirmed that would be helpful.

F. Accounts Payable Policy

The Board reviewed a draft copy of an accounts payable policy. Because the Drainage Board only meets every few months, the policy was designed to allow for payment of vendors and expenses without delay giving the Chair the authority to submit expenses up to \$1,000 as well as those previously reviewed and approved by the Board.

**MOTION:**

**Motion by Board Member Romberg**

**Second by Board Member Pfankuch**

**Motion to approve and immediately implement the accounts payable policy as presented**

**Motion carried by unanimous voice vote**

G. Accounts Payable

The Board reviewed a copy of the meeting attendance per diem log for this meeting totaling \$215.80.

They also reviewed copies of invoices 925946 and invoice 925553 from McMahon Group. The services provided and charged for on these invoices were previously approved by the Board. The invoice is being provided to the Board for information regarding services received. The work includes the annual drone survey as well as the identification of the outlets along the river.

Ben Hamblin, McMahon Group, noted that the Annual UAV Survey charge of \$4,996.80 on invoice number 926553 should not yet be paid. He said they have not yet completed the implementation of the data into the GIS system and therefore the Board is not obligated to pay for it yet.

The Board also reviewed receipts for reimbursement to Holly Stevens for expenses she covered for the district. \$116 for stamps for the district mailing which was sent in February and for the ESRI annual fees for the ArcGIS access for \$600.

The total of the accounts payable is \$17,272.70.

**MOTION:**

**Motion by Board Member Pfankuch**

**Second by Board Member Sleik**

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

**Motion carried by unanimous voice vote**

H. Meeting Schedule and Board Member Requests for Agenda Items

The Board discussed scheduling their next meeting. It was noted the Town of Clayton had informed Chair Miller that their meeting hall is only available for use between 8:00 a.m. to 4:30 p.m. Monday through Friday. The board members indicated most could not meet during the daytime. They all preferred the 7:00 p.m. meeting time.

The Board scheduled their next meeting for Thursday, July 21, 2022 at 7:00 p.m. at the Town of Winchester Town Hall

V. Adjournment:

**MOTION:**

**Motion by Board Member Sleik**

**Second by Board Member Romberg**

**Motion to adjourn at 8:50 p.m.**

**Motion carried by unanimous voice vote.**

Respectfully submitted,  
Holly Stevens, Clerical Support