

WINNEBAGO COUNTY DRAINAGE BOARD
LARSEN DRAINAGE DISTRICT
Meeting Minutes
7:00 p.m. on September 29, 2022
Town of Winchester, 8522 Parkway Lane, Larsen, WI 54947

I. Call to Order

Board Members:	Howard Miller	PRESENT
	Peter Romberg	PRESENT (arrived at 7:05 p.m.)
	David Sleik	PRESENT
	John Kunde	PRESENT
	Michael Pfankuch	PRESENT
Clerical Support:	Holly Stevens	PRESENT
District Consultant:	Gerald Peterson	PRESENT

II. Approval of Minutes

- A. Approval of the minutes of the July 21, 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 July 21, 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:

- Cynthia Deeg, 8241 County Road T, asked what was happening with the drainage from Pioneer Road to the walking trail. Chair Miller explained the drainage through the roadside ditch is the county's responsibility for maintenance. He explained it would be considered a secondary ditch to the Arrowhead River.

IV. Business:

A. DATCP Annual Inspection and Financial Report

The Board took action at the July 21, 2022 meeting to have Board Member Pfankuch complete the 2021-2022 Annual Inspection Report. Using the report developed by McMahan Group for 2020-2021 as a template, Mr. Pfankuch developed and presented the report for the Board's consideration. The report meets the statutory requirements for submission to the required agencies.

Also included in the report was the required Annual Financial data. Holly Stevens, clerical support, explained the Treasurer provided the information for incorporation into the Annual Report which results in a single, comprehensive document for submission. She reviewed the financial data with the Board.

MOTION:

Motion by Board Member Pfankuch

Second by Board Member Sleik

Motion to accept the 2021-2022 Larsen Drainage District Annual Inspection and Financial Report and to submit the report to the Winnebago County Zoning Administrator and the Department of Agriculture, Trade, and Consumer Protection as required by law.

Motion carried by unanimous voice vote.

B. McMahon Group

Ben Hamblin, Engineer with McMahon Group, reviewed their services for the year, noting the annual UAV inspection provided data to the Board for their annual report. The data was also incorporated into the GIS platform, further building the data base. Mr. Hamblin also noted his team completed an inventory of inlets and outfalls along the district corridor which was also incorporated into the GIS database.

C. Water Levels

Chair Miller provided a report for the water levels across the season for the corridor. He noted that the river elevation and that of Lake Winnebago are essentially identical, resulting in very flat conditions and provided very little opportunity for flowage. He also noted that during June and July, there was very little if any flow measured.

Chair Miller also provided a copy of the meeting notice for the US Army Corps of Engineers Lake Winnebago Regulation Meeting which was scheduled for October 4, 2022. He encouraged the other Board members to consider attending if they were able. Ms. Stevens asked that the Board members let her know if they are attending so she may post a quorum notice as required by WI Statutes.

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

Chair Miller explained that he, Board Member Romberg, and Matt Olson, Town of Winchester Chairman, attended a meeting with the US Department of Agriculture regarding available funding for maintenance of secondary drainage ditches. He asked Mr. Romberg to further explain their findings.

Board Member Romberg explained they had met with an engineer from NCRS who laid out the program. He said they had laid out their concerns and the engineer has agreed to meet with them to evaluate the section of ditch from Romberg Road west to his property. He said the program requires cooperation of all property owners and the unofficial estimate is for the program to cover about 75 percent of the costs of a project. Mr. Romberg explained they are meeting on October 22 to view the ditch and determine what she thinks could be done.

Board Member Pfankuch recommended they ask the engineer to look at the cross culverts on Breezewood Lane also. He noted when he last looked at them, they were in need of replacement.

Board Member Sleik agreed, but also added that the trees blocking the flow of the culverts should be addressed first. He said removal of those trees would allow for better flow.

Chair Miller requested Ms. Stevens post a quorum for the October 25, 2022 site visit as it is likely several Board Members will attend.

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

The Board discussed the project and the fact that access to the site will not be possible until the ground freezes. Board Member Romberg said he intends to speak with the property owner but noted that they will likely ask about the funding. The Board discussed the fact that the work is standard maintenance for which the Board is responsible so the cost of the project will be paid by the Board.

Board Member Sleik suggested someone confirm that the spoils can be placed in the adjacent farm field from which they sediment originated. He noted that they have to be careful not to fill any wetlands.

The Board determined they will call a special site meeting as weather permits to further develop a plan for the work. Board Member Romberg offered to take the lead on the project.

F. Administrative / Clerical Services

Holly Stevens explained, as an employee of the Town of Clayton, she began providing administrative support and clerical services for the Drainage Board in 2018. The Board entered into a 3-year contract with the Town of Clayton for these services in 2020 through which she continued providing services. In October 2021, she left her employment with the Town of Clayton. The contractual agreement between the Town and the District remained in place until December 31, 2022, however the Town did not have a staff member familiar with the district or its operations. Understanding the district had a financial obligation to the Town, Ms. Stevens offered to continue providing services at no charge until the contract obligation to the Town was fulfilled. However, because the time commitment required to provide these services is significant, she explained she can no longer continue to fulfill the role pro bono. She also noted that the Town of Clayton had not provided any services in 2022 and when asked to provide support for this meeting, they declined. She added that Town of Clayton Administrator Tori Straw had indicated the Town would not be charging the district for services for 2022 since none were provided.

Ms. Stevens continued explaining that with the eminent expiration of the contract with the Town of Clayton, the Board is being asked to consider its needs for administrative and clerical services and what that will look like moving forward.

She explained there are several options for the board to consider including but not limited to the following:

1. A Board Member could assume the role of administrative/clerical support
2. The Board could negotiate a new contract with one of the district municipalities (Clayton, Winchester, or Winneconne)
3. The Board could negotiate an agreement with a separate individual

Ms. Stevens also provided an agreement for services under which she is willing to continue serving the district for the Board’s consideration.

Board Member Pfankuch noted that the information provided to the Board by Ms. Stevens for each of the meetings has been significant and allows for efficient and effective operations. He said he would like to see her continue providing services to the Board.

MOTION:

Motion by Board Member Kunde

Second by Board Member Romberg

Motion to approve the Agreement for Clerical and Administrative Services by and between Holly Stevens and the Winnebago County Drainage Board as presented.

Motion carried by unanimous voice vote.

G. 2022 District Tax Assessment Rates / Fees

Ms. Stevens provided information to the Board indicating the Larsen Drainage District property owners support the work performed by the District through Special Fees which are added to the property tax bills. Each property is charged a base rate plus a per acre fee.

She provided the following historical data to the Board:

The Board had approved the following fees for the 2021 tax bills:

Parcels with Improvements	\$ 11.02 + per acre charge
Parcels without Buildings	\$ 3.67 + per acre charge
Per Acre Charge	\$ 1.16
Larsen-Winchester Sanitary District	\$ 1,944.00 Flat Fee
Northeast Asphalt	\$ 3,240.00 Flat Fee

2017 rates generated \$13,490.

2018 Board reduced rates by 10 percent generating \$12,154.

2019 Board reduced rates by 20 percent generating \$9,734*.

2020 Board maintained the same rates as 2019 generating \$9,770*.

2021 Board increased fees by 20 percent generating \$12,046

*While 2019 and 2020 rates were the same, the generated revenues increased due to construction—previously vacant lots were developed changing the base rate charge and therefore increasing revenues.

Ms. Stevens recommended the Board consider anticipated operating costs and the current fund balance when determining the District Fees. She provided the anticipated operating costs for 2023 and an estimated 2022 year-end fund balance.

2023 Engineering (GIS Database Maintenance and Esri Fees)	\$1,600
2023 General Engineering Services	\$5,000 (estimated)
2023 Corridor Maintenance-Mowing, Tree removal, etc.	\$10,000 (estimated)
2023 Projects	TBD
2023 Administrative Services	\$1,000
<u>2023 Board per diems (4 Mtgs.)</u>	<u>\$1,200</u>
Estimated Expenses for 2023	\$18,800

2022 Fund Balance **\$160,086**

Ms. Stevens continued noting the engineers have indicated there are no major maintenance projects which need immediate attention. However, there are numerous areas within the corridor which would benefit from routine maintenance work. With that in mind, if the Board agrees the anticipated operating expenses for 2023 are a reasonable representation of operating costs, consideration should be given to the tax assessment amounts charged to the landowners to cover those expenses.

Ms. Stevens explained that using last year’s revenues compared to the 2023 anticipated expenses, the Board would have a revenue shortfall of approximately \$6,750. A 56 percent increase in fees would be necessary to cover this shortfall. However, in order to minimize the tax burden to property owners, she did NOT recommend the Board increase the tax assessment in a single tax year to correct the shortfall. Her recommendation was to implement incremental 20% increases to increase revenues over the course of the next few years. Presuming the operating expenses remain relatively stable, the shortfalls will decrease year over year until the revenues and operating expenses balance. The interim shortfalls would be covered by the district fund balance.

Clerk Stevens provided the following calculations for the proposed increase:

The proposed 20% increase will result in the following rates for 2022 taxes:

Parcels with Improvements	\$ 13.22 + per acre charge
Parcels without Buildings	\$ 4.04 + per acre charge
Per Acre Charge	\$ 1.39
Larsen-Winchester Sanitary District	\$ 2,332.80 Flat Fee
Northeast Asphalt	\$ 3,888.00 Flat Fee
2022 Estimated Revenue Total:	\$14,455.20
2023 Incremental 20% increase:	\$17,346.24
2024 Incremental 20% increase:	\$20,815.49

Board Member Sleik stated that he does not think there should be an increase in fees until the fund balance is lower. He said the district has the money to perform maintenance work and he doesn’t think an increase is justified.

Chair Miller said it is hard to know what their expenses will be. He noted that he would not want the tax revenue to fall too far below the operating costs. Additionally, he said it is good to have a healthy fund balance in the bank in case of an emergency event.

MOTION:

Motion by Board Member Pfankuch

Motion to implement a twenty percent increase in the tax assessments for 2022 resulting in the following rates:

Parcels with Improvements	\$ 13.22 + per acre charge
Parcels without Buildings	\$ 4.40 + per acre charge
Per Acre Charge	\$ 1.39
Larsen-Winchester Sanitary District	\$ 2,332.80 Flat Fee
Northeast Asphalt	\$ 3,888.00 Flat Fee

Board Member Romberg questioned if the 20 percent increase was necessary asking if the Board would consider a 10 percent instead.

Board Member Pfankuch’s Motion died for lack of a second.

MOTION:

Motion by Board Member Romberg

Second by Board Member Kunde

Motion to implement a ten percent increase in the tax assessments for 2022 resulting in the following rates:

Parcels with Improvements	\$ 12.12 + per acre charge
Parcels without Buildings	\$ 4.04 + per acre charge
Per Acre Charge	\$ 1.28
Larsen-Winchester Sanitary District	\$ 2,138.40 Flat Fee
Northeast Asphalt	\$ 3,564.00 Flat Fee

ROLL CALL VOTE:

Board Member Sleik	NO
Board Member Kunde	YES
Board Member Pfankuch	YES
Board Member Romberg	YES
Chairman Miller	YES

Motion carried by a vote of 4-1

H. Accounts Payable

The Board reviewed a copy of the meeting attendance per diem log for this meeting totaling \$268.08. They also reviewed copies of expenses related to the noticing of the 2021-2022 Annual meeting. These expenses included the publication fee for the requisite noticing in the newspaper (\$80.64), envelopes for mailing notices (\$31.49), and Stamps for mailing the same (\$120.00). The latter two expenses totaling \$151.49 are a reimbursement to be paid to Holly Stevens.

Ms. Stevens confirmed there are no other outstanding expenses at this time making the current total of the accounts payable \$500.21.

Board Member Sleik inquired about the newspaper publication noting that the resource is obsolete, and he felt it was not a good use of funds. Ms. Stevens explained it is a statutory requirement to publish the meeting and until the legislature changes the requirements, they are obligated to publish accordingly.

MOTION:

Motion by Board Member Romberg

Second by Board Member Kunde

Motion to approve and pay the accounts payable as presented.

Motion carried by unanimous voice vote

I. Next Meeting and Board Member Requests for Agenda Items

The Board discussed available dates and scheduled the next meeting for January 5, 2022 at 7:00 p.m. at the Winchester Town Hall. They noted they may schedule a special meeting to discuss the sediment removal project, if necessary, otherwise the January meeting could be utilized for the same.

Chair Miller provided information to the Board Members in regard to a letter sent to the Chairman of the County Drainage Board Association requesting specific discussion items for their annual meeting which should be scheduled sometime in December.

V. Adjournment:

MOTION:

Motion by Board Member Pfankuch

Second by Board Member Kunde

Motion to adjourn at 7:56 p.m.

Motion carried by unanimous voice vote.

Respectfully submitted,
Holly Stevens, Clerical Support