

# LARSEN DRAINAGE DITCH MEETING

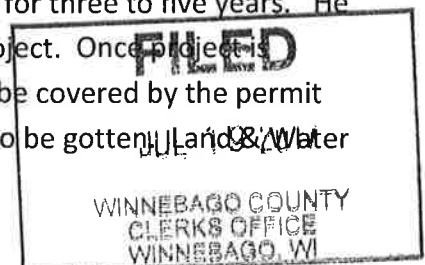
JUNE 29, 2017

Present: Abe Eckstein, Jerry Peterson, and David Sleik

Also Present: Clint Eckstein, Ted Eckstein, Dan Eckstein, and Tom Eckstein

Meeting called to order at the Town of Clayton Municipal Building by Chairman Abe Eckstein at 9:00 A.M. Chairman Eckstein made a motion to approve the minutes of the March 14, 2017 meeting. Jerry Peterson Seconded. Approved 2-0. David Sleik was now present. The archeological survey was discussed. Chairman Eckstein stated that in areas the ditch has been cleaned out three times and wonders what they would find. If they find something what happens then. Jerry Peterson questioned that when McMahon did the engineering were they required to get a permit. The amount of the survey is \$11, 622. David Sleik said he has received information from Attorney Kent. The state knows that there is money in the District's funds. The State will get us on a technicality if we don't do the study and he feels we need to follow the law to get rid of this law suit and move forward. He feels that it is time to get rid of this and move forward, Attorney Kent feels that if we do the archeological study. we would get a reduction in our fine. Dave Sleik said we need to make sure they can't come back on us if we move forward with the study and pay the fine. Chairman Eckstein would still like to take this to court and let them settle the issue.

David Sleik said he would like someone else also to discuss this with Attorney Kent since he doesn't know everything involved with the ditch. Chairman Eckstein again asks what happens if they find some artifacts. Someone questioned on how long the permit is good for. At this point Attorney Kent was on speaker phone at 9:45 A.M. to answer questions. He advised that the fine would be reduce if we did the study. He feels it would be cheaper if we did the complete study and not do it piece meal. It was brought up that the Wiowash Trail is in Phase 2 and is located in the Ditch's right-a-way when it was relocated years ago in that area. Phase 4 has Highway 45 going through. Questions arose if studies were done for these projects. Also mentioned that in some areas the ditch has been dug out three times. The attorney said they should highlight the areas needing the study and then a revised estimated cost could be gotten and the DNR knows what we are speaking about. Permits are good for three to five years. He said he would try to get permit to cover all phases for the entire project. Once project is complete, there could be areas that need maintenance and should be covered by the permit also. After ditch is cleaned, in the future new permits would need to be gotten.



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has a copy of the entire ditch. A copy will need to be gotten, phases shown, marked and highlighted and sent to the attorney. Dave Sleik made the motion to find information for the archeological study and get to the attorney within the next two months and to go forward with the study. This was seconded by Jerry Peterson. Roll call: Abe Eckstein-no, Jerry Peterson-yes and Dave Sleik-yes. Motion carried 2-1.

The questioned who could take the time to find the information, know and mark phases and take to attorney in Madison and explain. Dan Eckstein stated he would do it. Dave Sleik made the motion to pay Dan Eckstein for his mileage and time finding information and taking to attorney in Madison and explaining. Jerry Peterson seconded. Roll call: Abe Eckstein-no, Jerry Peterson-yes, and Dave Sleik-yes. Motion carried 2-1.

Dave Sleik made the motion to pay all attorney fees that have been received. This was seconded by Jerry Peterson. Motion carried 3-0.

Jerry Peterson said some mowing needs to be done. It was thought winter would be a good time to do this work. The area is about 20 feet on both sides of Highway 45 and the ditch and this is our responsibility. Dave Sleik made the motion to hire someone to do the work, put in necessary culverts and to remove brush on west side of Highway 45 by Woodland Road. This was seconded by Jerry Peterson. Motion carried 3-0.

A motion to adjourn was made by Chairman Eckstein, seconded by Dave Sleik. Motion carried 3-0.

Respectfully submitted,

Joanne Sievert, Recording Secretary

