

WINNEBAGO COUNTY DRAINAGE BOARD
LARSEN DRAINAGE DISTRICT

Meeting Minutes

6:30 p.m. on March 18, 2021

Town of Clayton Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order

Board Members:

David Sleik	PRESENT
Howard Miller	PRESENT
Peter Romberg	PRESENT
John Kunde	PRESENT
Michael Pfankuch	PRESENT

Staff:

Clerk 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 December 9, 2020 Larsen Drainage District Meeting.

- Clerk Stevens noted the only new Board members who were present at the December meeting were Mr. Sleik and Mr. Miller. She suggested they make the formal motion to approve the minutes.

MOTION:

Motion by Dave Sleik

Second by Howard Miller

Motion to approve the minutes from the December 9, 2020 Larsen Drainage District Meeting.

Motion carried by unanimous voice vote

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

NONE

IV. Business:

A. Oaths of Office

Clerk Stevens administered the Oath of Office to each of the Board Members.

B. Review and consideration to select a Chairperson and Vice Chair for the Board

Clerk Stevens reviewed the Board is appointed according to Wisconsin Statutes, however, there is no statutory specification for selection of a Chairperson or Vice Chair. After researching the historic records for the District, she found previous Boards (prior to 2000) voted to appoint a Chairperson at each annual meeting. The Chairperson then served 1-year and the position was reconsidered at the next annual meeting. The Chairperson often continued for several consecutive years, but each year it was reviewed and voted on. Clerk Stevens noted the methodology seems to have served the District well in the past and as such, she recommended the same procedure be followed now. She also noted, if the Board proceeds as such, the first “term” as Chairperson will be shorter as the next annual meeting will be held in the fall of 2021. The Board would then vote for the chairperson to continue for another year, or may select another chairperson from among the other Board members. The chairperson responsibilities would include leading the meetings, as well as signing of any official documents on behalf of the Board. Other duties may arise as the Board progresses with its business.

Clerk Stevens also noted the Board, previously consisting of three members, has not historically selected a Vice Chair. She recommended the Board select a Vice Chair to serve in the absence of the Chairperson. The selection procedure as outlined for the Chairperson may be used to select a Vice Chair as well.

Clerk Stevens explained all of the new Board members have had some experience serving on Boards, Commissions, and/or Committees, giving each exposure to the procedures for running meetings. She suggested the Board make nominations and then allow for each of the nominees to briefly describe their experience for the Board to consider.

- Board Member Pfankuch nominated Howard Miller to serve as Chairperson.
- Board Member Kunde nominated Peter Romberg to serve as Chairperson.
- No other nominations were received
- Peter Romberg explained he has served on two different school boards in several roles including Secretary and Vice Chair. He noted he has a good understanding of parliamentary procedure and would be comfortable serving as Chair or Vice Chair.
- Howard Miller explained he has also served on several Boards including the Town of Winchester Board of Supervisors, the Winnebago County Executive Committee for the Republican Party, Wisconsin Family Action, and Wisconsin Family Council. He noted he is comfortable conducting meetings.

MOTION:**Motion by Board Member Pfankuch****Second by Board Member Sleik****Motion to select Howard Miller as the Winnebago County Drainage Board Chairperson and Peter Romberg as the Winnebago County Drainage Board Vice Chair to serve until the Annual Meeting to be held in the fall of 2021.****Motion carried by unanimous voice vote.**

C. Recognition of Service for Gerald Peterson and Abraham Eckstein

Clerk Stevens said she had spoken with each of the new Board Members prior to the meeting and all agreed it would be appropriate to honor the service of long-time Board Members Abe Eckstein and Gerald Peterson. Clerk Stevens presented the following:

The Larsen Drainage District was established in 1910 by the Winnebago County Circuit Court at the request of the property owners. Since its establishment, countless members of the community have given of their time to serve and provide effective drainage for the properties within the Arrowhead River Drainage Course. It behooves us to reflect and recognize the accomplishments of our predecessors.

As the Board transitions, we would like to recognize and honor the dedication and selfless service of former Board members, Gerald Peterson and Abe Eckstein.

According to the District's records, Mr. Abe Eckstein's service to the Larsen Drainage District began in the year 2000. Mr. Eckstein served on the Board for 20 years, with much of his tenure as Chairman. His dedication and loyalty were evident as he provided insight and knowledge which were instrumental in the District's accomplishments during the course of his service. His passing has left many with a void which cannot be filled.

Historic records show Mr. Gerald Peterson's involvement with the Larsen Drainage District began in the early 1980s. Having served the community for over 40 years, his commitment is admirable and should serve as an example for each of us to emulate. He has given countless hours and provided his expertise to the District community with no expectation of reciprocation. It is impossible to express the gratitude and appreciation for his extensive contributions and lifetime of service.

NO FORMAL ACTION TAKEN

D. Review of the Role of the Drainage Board

Clerk Stevens explained the Department of Agriculture, Trade, and Consumer Protection (DATCP) Drainage Engineer, Bart Chapman, had offered to address the newly appointed Board in regard to its authority and responsibilities. Unfortunately, Mr. Chapman is on medical leave and is not available at this time. Clerk Stevens had reached out to his supervisor who said Mr. Chapman is expected to return to work in the next few weeks. He suggested the Board continue to communicate with Mr. Chapman and make arrangements for him to meet with the Board at a future meeting.

Clerk Stevens noted the Board has been provided with the Drainage Board Handbook which provides extensive information. She noted the excerpt below which summarized the Board's authority and responsibility.

Legislation under ch. 88, Wis. Stats., provides extensive authorities and responsibilities to county drainage boards. The county drainage board is responsible for:

- Operating and maintaining district drains and dams within district drains;
- Levying assessments against landowners who benefit from the drainage provided;

- ⊃ Awarding damages, as appropriate, to landowners injured by the construction and maintenance of district drains;
- ⊃ Inspecting the district drains and corridors;
- ⊃ Making or recommending modifications to a drainage district;
- ⊃ Resolving drainage disputes, subject to applicable law; and
- ⊃ Notifying landowners that their property is within a drainage district.

County drainage boards are responsible for the construction, operation, maintenance, and repair of district drains.

NO FORMAL ACTION TAKEN

E. Financial Report as of December 31, 2020

Clerk Stevens explained the Drainage District fiscal year runs from September 1 to August 31. The Winnebago County Treasurer serves as Treasurer for the District. Their office processes accounts receivable and accounts payable (after Board approval).

The Board reviewed the year-to-date as of 12/31/20 Financial Report from the Treasurer. The District Fund balance as of 12/31/20 is \$196,561.20.

Clerk Stevens continued stating the recommended best practice for government entities is to maintain a minimum fund balance equal to or greater than 15 to 20 percent of the current year expenditures. She explained during her tenure with the Drainage Board (beginning in 2017), the Board has not developed an operating budget so determining those expenditures, and by reference the minimum fund balance, will prove difficult at this point.

She recommended the Board determine if a drone study of the corridor is financially feasible. If it is feasible, the Board should complete the study and use the data produced to determine annual maintenance needs (and costs) and to develop a 5-year “special projects” plan. This planning will then allow the Board to determine an annual operating budget which allows for the maintenance and one or two special projects each year. This in turn will dictate the necessary tax assessments for the District. Once the revenue and expenses are determined, the Board can calculate the appropriate minimum fund balance.

Clerk Stevens also explained revenues from tax assessments should be such that would fund the annual operating budget. However, because the District has had a significant fund carryover, and because regular maintenance has been minimal, the previous Board has been reducing the assessment over the past few years. Total collections for the 2020 tax assessments were \$9,769.72. Depending on the annual operating budget, the tax assessments will likely need to be modified going forward. The Operational Budget and the Tax Assessment will need further Board review and consideration at a future meeting.

NO FORMAL ACTION TAKEN

F. Accounts Payable

Clerk Stevens asked if anyone had any outstanding invoices for maintenance work in the corridor. None were submitted. The Board reviewed the attendance records for the December 9, 2020 Board Meeting and for the current meeting. Board Member Miller noted an addition error in the compensation calculation for the December 9, 2020 meeting.

MOTION:**Motion by Board Member Kunde****Second by Board Member Romberg****Motion to approve the accounts payable as corrected and to direct the treasurer to disburse payments.****Motion carried by unanimous voice vote**

G. Review and consideration of Requests for Proposals (RFP) for Engineering Services and Drone Study of Drainage Corridor

The Board reviewed the RFP document which was sent to six engineering firms along with the three proposals for engineering services and a drone survey received as a result of the RFP. Clerk Stevens noted the submitting firms had requested the opportunity to address the Board. The order of presentation was determined by random drawing with the firms presenting as follows:

- a. Presentation / Review of RFPs
 - i. Cedar Corp
 - ii. Martenson & Eisele
 - iii. McMahan and Associates
- b. Selection of Service(s)

After the presentations, the Board discussed the three proposals. Each agreed the decision was difficult as each proposal was very well presented, thorough, and similar in cost.

Board Member Sleik clarified with Consultant Gerald Peterson that McMahan Group had performed work for the district in the past, including documenting a “baseline” for the corridor. Mr. Peterson confirmed a significant mapping project had been completed in the early 2000s. He thought the District’s copies would have been in the possession of former Chair Eckstein. Board Member Sleik suggested it might be easier to work with McMahan because they have the historic information so the District would not have to search out their copies. Clerk Stevens noted the documents would likely be available to the Board for a cost to duplicate them, giving access to the information to any of the firms if needed.

Board Member Pfankuch stated he has had experience working with all three firms. He said he is currently working with Cedar Corp on a Steering Committee Project for the Town of Clayton. He noted they are very thorough and knowledgeable. He said he has worked with M&E for many years as part of the Larsen-Winchester Sanitary District. He said they have assisted the district with compliance requirements, permitting, studies and many other services. He said they have served the district well. He also said he has been working with

McMahon Group for Town of Clayton projects. He explained they too, have provided excellent services.

The Board determined each firm was qualified and the rates were all similar. The determining factor was the history with the district. The Board decided continuity of services would benefit the Board moving forward. McMahon Group has the historic records and it would eliminate the need to gain access to them if another firm were chosen.

MOTION:

Motion by Board Member Pfankuch

Second by Board Member Romberg

Motion to accept and approve the proposal from McMahon Group for a Drone Survey of the District Corridor and Consulting Engineer Services as needed as submitted.

Motion carried by unanimous voice vote

H. Imperative Maintenance

Clerk Stevens noted there have been no notifications of imperative maintenance needs along the corridor. She asked if the Board or anyone in attendance was aware of certain work which should receive some immediate attention. No one was aware of anything which needed to be addressed.

NO FORMAL ACTION TAKEN

I. Next Meeting and Board Member Requests for Agenda Items

McMahon Group requested the Board meet again in the near future for an additional presentation about the options relating to the drone study and the information which will result from it. The Board scheduled a meeting for Tuesday, March 30, 2021 at 7:00 p.m.

V. Adjournment:

MOTION:

Motion by Board Member Miller

Second by Board Member Pfankuch

Motion to adjourn at 8:34 p.m.

Motion carried by unanimous voice vote.

Respectfully submitted,
Holly Stevens, Clerk, Town of Clayton