

WINNEBAGO COUNTY DRAINAGE BOARD
LARSEN DRAINAGE DISTRICT
Meeting Minutes
7:00 p.m. on February 9, 2023
Town of Winchester, 8522 Parkway Lane, Larsen, WI 54947

I. Call to Order

Board Members:	Howard Miller	PRESENT
	Peter Romberg	PRESENT
	David Sleik	PRESENT
	John Kunde	PRESENT
	Michael Pfankuch	PRESENT
Administrative Support:	Holly Stevens	PRESENT
District Consultant:	Gerald Peterson	PRESENT

II. Approval of Minutes

- A. Approval of the minutes of the September 29, 2022 Winnebago County Drainage Board Larsen Drainage District Meeting.

MOTION:

Motion by Board Member Pfankuch

Second by Board Member Sleik

Motion to approve the minutes from the September 29, 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:

- Jeff Posselt, 8962 Medina Junction Road, said his property is not in the district but he gets water from it. He explained that water flows in the roadside ditch on Fairview from Hickory to the east but because the ditch has never been cleaned out in more than 40 years, the water stops flowing and stacks up pushing the water through the cross culvert and onto his property.

The Board Members explained that the issue is a Town of Clayton matter because the water issue is caused by a problem with the ditch on Fairview. They noted the Drainage Board has no authority to clean out a roadside ditch. It was suggested Mr. Posselt contact the Town of Clayton again.

- Paul Grunski, 9035 Pioneer Road, noted that John Wisnefske's land on the south side of Fairview floods in the spring as well. He said Rick Rubbert also has water issues there. He said there are four property owners who are dealing with these issues. He said he would like to see the Arrowhead River get finished on the north side of HWY 10.

The Board clarified that the district's ditch maintenance responsibilities stop at Hwy 10 and do not go any further north.

The Board clarified that the secondary ditch north of Hwy 10 is the responsibility of the property owners. Paul Grunski asked how the Drainage District could be expanded to help the situation.

Board Member Sleik explained that the people at the other end of the river are struggling as well. He said the river is flat and there is very little flow as is. He said they should talk to the Town of Clayton to request the work on the roadside ditch. He also suggested they clean out the secondary ditches on their property.

IV. Business:

A. Chairman's Report

- Wisconsin Association of County Drainage Boards Meeting
 - District Permitting
 - District Expansion

Chairman Miller reported that he had contacted the Wisconsin Association of County Drainage Boards with several questions requesting direction. Their Annual Meeting has not yet been scheduled, but the questions submitted will be included on the agenda for discussion when it is.

- Water Levels

Chair Miller reported the water levels are obviously harder to monitor in the winter when the river is frozen, but the lower end of the river corridor is at the same level as Lake Winnebago. As of February 7, the elevation was at 745 feet. He said they are continuing to draw it down and they are on target for their goal and reevaluate after March 1.

- Sawyer Creek

Chair Miller said there will be a lot of talk this spring at the County about Sawyer Creek. He said it flows in the Fox River in Oshkosh from the southwest. He said there will be public hearings about it. He said FEMA and the WI DNR are both involved. He said there has been a lot of flooding associated with the creek and the city wants to do something to prevent future flooding. He said it could affect outlying areas. Chair Miller explained that their plan is to store water upstream on Sawyer Creek. He said he plans to suggest instead of storing water upstream, why not just lower the level of the Lake by six inches. He said that would not only help them, but it would help the Arrowhead corridor as well. He said it will be an uphill battle and he needs support. He said there are other supporters of the idea, but it will take a lot of support to get it considered.

Board Member Pfankuch asked if the Board was familiar with the Fox-Wolf Watershed Alliance and asked if the Board should be a member. Chair Miller said he is familiar and usually attends their meetings. Matt Olson, 8303 Sauby Road, said he attended the last meeting. He explained that their goal is to raise and lower the water levels on Lake Winnebago more slowly which aligns with the agricultural goals. He said the Alliance has

built a name for itself and the Army Corps does take their requests and recommendations very seriously. He said you do not have to be member—you just have to show up to meetings.

B. McMahon Group

- 2023 General Terms & Conditions for Engineering Services

The Board reviewed a copy of the General Terms & Conditions for Engineering Services. Ben Hamblin, McMahon Group, explained that the GTA has served the Board well. He said with the infrequency of meetings, getting a project agreement approved could unnecessarily delay work. He said the agreement provides the ability for them to provide services at set rates with waiting for specific project approvals.

MOTION:

Motion by Board Member Pfankuch

Second by Board Member Romberg

Motion to accept the 2023 General Terms & Conditions for Engineering Services as presented by McMahon Associates, Inc.

Motion carried by unanimous voice vote.

- 2023 UAV Survey Proposal

The Board reviewed that it is statutorily required to perform an annual inspection of the entire drainage corridor. Ben Hamblin explained 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 and 2022 by completing a UAV survey the data from which was then implemented into the GIS data base for the district. Additionally, in 2022, the Board approved and completed an inventory of the corridor which identified contributing drainage systems (i.e., connecting ditches, inflows, outfalls from tiling, etc.). McMahon has provided an estimate of \$4,500 to \$6,000 to complete a UAV survey. The service includes the integration of the data into the GIS system.

Ben Hamblin also noted that as an alternative to a UAV survey, the Board could complete a “boots on the ground” survey to satisfy the requirements for inspection. 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 data base to upload photographs and notes from their inspections which then would have to be compiled into a final, comprehensive report.

Chair Miller noted 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 the continued use of a UAV survey would best serve the district. It was noted that the year over year images provide a very helpful

tool for the Board to reference as part of the maintenance project. Issues can be identified with the use of the survey images and then monitored year over year to track changes.

MOTION:

Motion by Board Member Romberg

Second by Board Member Kunde

Motion to approve the proposal from McMahon Associates, Inc. to complete a UAV Drone survey and to implement the data into the District GIS data base for a cost not-to-exceed \$6,000.

Motion carried by unanimous voice vote.

C. Secondary Ditches – Romberg Ditch - Possible Federal Assistance for Maintenance

Chair Miller reported that he, Peter Romberg, and Matt Olson met with a Lynn Szulczewski of the US Department of Agriculture and Natural Resources Conservation Service regarding the “Romberg Ditch.” He noted it may qualify for federal grant funding to clean out the ditch. Chair Miller explained the agency will be doing a survey of the area in the spring.

Board Member Sleik asked what they would be doing because there is already more water coming into the Arrowhead than it can handle.

Board Member Romberg said the area has to be surveyed first so they have an understanding of what is happening. They will then develop options for the property owners but at this time, we do not know what that includes. He said they have to wait on the survey.

Chair Miller said one of the simplest improvements would be to the ditch banks. He said they will know more after the survey.

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

At a previous meeting the Board determined that among the members, they had the equipment and operating certifications to correct the runoff and sedimentation problem along the William Pucci property. While the district has the authority to work in the corridor as needed, Board Member Romberg was asked to speak with the property owner(s) about the project to get their blessing to perform the work. Board Member Romberg reported they agreed to have the work completed but did not want to incur any expenses related to the work. The Board members agreed the district would be paying for the correction.

Chair Miller said the weather conditions have not allowed for this project to move forward and said he would be relying on the other Board Members to initiate the work when conditions allow for the work.

Board Member Sleik said he thinks it would be better to hire the work done. He said by the time you pay someone to get your equipment in there, you might as well pay someone to do the whole job.

The Board agreed to monitor the site conditions to determine next steps.

E. Board Member Term Expiration/Renewal – Howard Miller

The Board reviewed that on March 4, 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. Judge Key's decision and appointments were as follows:

- Howard Miller, 5468 Grandview Road, Larsen, for a term of 2 years (expires 2023)
- 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)
- David Sleik, 7547 Green Meadow Road, Oshkosh, 2022 renewal for a term of 5 years (expires 2027)

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

Notification of the term expiration should be provided 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. Last year's notification was sent in conjunction with the landowner notice relating to the corridor inspection and inventory (UAV and McMahon ground work). It is recommended a combination notice should be sent again this year.

Mr. Miller has indicated he is willing to continue serving for the next 5-year term. The Board should submit his name as the incumbent, along with any other nominations received.

F. Accounts Payable

The Board reviewed a copy of the meeting attendance per diem log for this meeting totaling \$271.44.

MOTION:

Motion by Board Member Kunde

Second by Board Member Pfankuch

Motion to approve and pay the accounts payable as presented.

Motion carried by unanimous voice vote.

G. Next Meeting and Board Member Requests for Agenda Items

The Board discussed their schedules and set the next meeting for July 20, 2023 at 7:00 p.m. at the Town of Winchester.

V. Adjournment:

MOTION:

Motion by Board Member Pfankuch

Second by Board Member Sleik

Motion to adjourn at 7:46 p.m.

Motion carried by unanimous voice vote.

Respectfully submitted,
Holly Stevens, Administrative Support