

**755 - Duck Creek District**  
**Annual Meeting Minutes - September 21, 2022**

President Kramer called the meeting to order at 8:00 p.m. at the Town of Center Town Hall. He introduced the Outagamie County Drainage Board members. Present: Al Kramer, Greg Nettekoven, Jason Van Eperen, Mike Van Asten, Gerald Vander Heiden

Also present: Nancy Christensen, Administrative Assistant; Jeremy Freund, Land Conservation Department. Others Present: Warren Barclay, Christ Theobald, Glenn Dunville, Jeff Bartlett, Darren Stingle, Keith Rohm, Aaron Barclay, Ralph Volkman, Ryan Kramer, Randy Schmidt, Harlan Volkman,, Eugene Grundy, J. E. Grundy, Kris Sieckert, Allyn Staley, Pete Helein, Ken Timm, Mark Timm, Rodney Kahler, Larry Barclay, Jerry Stephani, Lee Lemke, Kurt VandenHeuvel, Justin Keen

Kramer informed those present the Board meets every first Tuesday of the month at 8:30 a.m. at the Town of Osborn, W3389 County Road EE, Seymour. Any concerns may come to this meeting and bring them before the Board or contact any member at any time. Minutes and agendas are posted on the Outagamie County website under the Land Conservation Department.

Minutes of the 2021 Annual Meeting – Darren Stingle moved, seconded by Ken Timm to approve the minutes as presented. Motion carried.

Public Hearing

The Public Hearing was opened at 8:03 p.m. President Kramer read the Notice of Public Hearing to consider a reassessment for drainage district costs and benefits for the District. He explained that this assessment would apply to property owners that have a legal drain on their property and are not maintaining the minimum required 20', or setback established by the Drainage Board, for a buffer corridor from the high-water mark.

Kris Sieckert – What is the distance? I thought it was 30'. Kramer: it is 20' from top of bank and also a 75' setback for structures.

Aaron Barkley - Would a temporary fence be allowed to graze cattle? Kramer: if we do work in there and the fence is within 20' setback and you do not remove it, you will be charged if we remove it. Nettekoven: We need to have room to allow access to the corridor to fit the UTV for inspections.

Tim Dixon – Project being done currently will I be fined? Kramer: you will not be fined as long as we are working on it, it's a project in progress.

Ken Timm moved, seconded by Darren Stingle to close public hearing at 8:11 p.m. Motion carried.

Presentation of projects completed and future projects – Jeremy Freund, Outagamie County Land Conservation Department presented an over view of the district. Yellow lines are the

boundaries for the district. Rainfall water is collected within these boundaries and end up in the legal districts. Spraying is completed in the fall. The area has been sprayed this year for cattails and weeds. Question on the floor is why is spraying done in the fall and not spring. Kramer: spraying is done in the fall due to the plants going dormant and they retain more of the spray. We have had good results doing it in the fall. The spray kills the brush and cattails. Nettekoven: Property owners are notified in the spring that general maintenance and inspections will be occurring. Freund: red lines are spray brush, purple is spray cattails, aqua is phragmites, green is dredging is required. Pictures were reviewed showing problems issues: fences blocking buffer corridor, tree in the ditch, bridge collapsed in the ditch.

Grundy – had bridge across ditch, one side was broke and I needed to repair it but you removed it. What can be done to resolve the issue, a culvert, spancrete, so I can get access to my property. There is another culvert and it had washed out but I fixed it. I've been cleaning the wood and ditch. If a tree falls, I take the wood. What can be done? Nettekoven: Can you come up after the meeting and we'll discuss it.

Aaron Barkley – What is notice you are working on our property? You send a notice in April but that doesn't tell us when. There is a lack of communication. Nettekoven: We contact owners directly if tree removal or dredging is going to be done.

Kramer: We did storm clean up after the June 16 storm. Trees and debris were removed from the ditch. The bridge was in the ditch bottom blocking the water.

Gundy - The bridge wasn't in the ditch. Only one side fell down, I used green treated lumber and logs. The water doesn't flow as heavy as it use to. I had grass growing in the ditch. I don't know what you did to the water but you did too good of a job. We use to have a swamp. When we get high winds, I can show you pictures of large maple trees that were rooted on top and now they fall over. The water is gone. There is green sludge and the grass grows out. I have to use a sickle bar or mower to cut the area. The habitat is gone. Personally you make it worse not better.

Christensen referred to State Statute 88 allowing access to corridors and notices required by March 1, annual meeting notices, and cutting tree notices.

Item will be place on Drainage Board regular meeting agenda for further discussion on culvert/bridge replacement.

From floor, you have our numbers, why can't you reach out to those people you are doing work on their property. Nettekoven – there are no telephone books with cell phone numbers. (i.e. at tonight's meeting, 10 out of 25 individuals signed in and provided a phone # and no one provided an email address)

Tim Dixon has concern about tree cutting, time wasted and messy work. They witnessed the vendor was there and not cutting trees. Debris hitting house 200' from where wood being cut.

Did not clean up after done cutting. There needs to be more over-sight of these vendors and what they are doing. It's taking 3 months for a job that should have only taken 3 days? They didn't even cut back the 20' they were supposed to. They did not clean up after they were done. Kramer and Vander Heiden will do a site visit to see what needs to be addressed.

Question from floor – how is this work priced out? Nettekoven: time and material

Deb Jens – What about the corridor of the Meade Street to Center Valley Road project? Kramer will this be done this fall, November/December. The stumps will be removed at that time.

What perimeters constitutes a private ditch? Neighbor's water runs into his ditch and the road ditch flows into it. He paid to have the ditch cleaned out. Kramer: If it's a ditch going to the legal drain it's a private ditch.

Future Projects –

Glen Dunville – He had a parcel removed from the district but is still getting charged for it. (This item will be placed on the Drainage Board regular meeting on October 4, 2022.)

Ralph Volkman – 5' squashed culvert needs to be replaced, flows out to 12 Corners Road.

Pete Hayline – Thanked the Board for all the work done they have done.

2021-2022 Financial Report - Ending fund balance as of December 31, 2021 was negative \$8,206. Special assessments collected were \$116,327 resulting in an available balance for expenses of \$110,121. Expenses to date are \$62,773 with a current remaining balance through September 19 of \$47,348.

Tim Dixon - What is done with the trees cut, where does that revenue go? Christensen: When tree cutting notices go out, a form is included that they can indicate if they want the wood, want to cut trees and remove the wood themselves, or the Drainage Board can cut and remove the wood. Currently there is no market for the wood or it costs more to grind and haul the material out. Property owners can haul the wood away.

2022 Assessment Rates (payable in 2023) - Currently at \$5.00 per acre, minimum \$50.00. Keith Rohm moved, seconded Larry Barclay to recommend \$5.00 per acre and \$75.00 minimum for 10 acres or less. 14 aye, 4 nay. Motion carried.

2023 Annual Meeting Date - same time as this year.

Darren Stingle moved, seconded by Ryan Kramer to adjournment at 9:26 p.m.

Respectfully submitted,  
Nancy J. Christensen  
Administrative Assistant

**SEPTEMBER 2022 FINANCIAL SUMMARY REPORT**

**FUND 755**

**DUCK CREEK DRAINAGE DISTRICT - 18,845.53 Acres**

**REVENUE**

\*Fund Balance as of 12-31-21                    \$                    **(8,206.00)**

Special Assessment Deposit 2-21                    \$                    118,327.16  
Reimbursements

**TOTAL REVENUE**                                    \$                    **110,121.16**

**EXPENSES**

Salaries/Mileage	\$	3,630.83
Supplies	\$	3,117.05
Purchased Services	\$	<u>56,025.46</u>
	\$	<u>62,773.34</u>

**BALANCE AS OF SEPTEMBER 19, 2022**                    \$                    **47,347.82**

**PROJECTS COMPLETED**

Mielke & Center Valley Roads - Trees	\$	10,494.25
Mielke & French Rd Brush Cut	\$	11,363.50
Mielke & French Rd Brush Cut	\$	2,815.00
Mielke & French Rd Brush Cut	\$	<u>20,748.50</u>
	\$	45,421.25
 Mullen Rd - clean ditch	\$	570.00
Eugene Sprangers property	\$	1,350.00
Clean Out-Rohm Property - Mielke Rd	\$	<u>950.00</u>
	\$	2,870.00

**MISCELLANEOUS**

Weed Spray Supplies	\$	2,466.00
Engineering/Legal/Advertising	\$	4,361.00
Insurance	\$	201.00
Storage Rental	\$	535.00
LCD - technical assistance	\$	<u>1,671.00</u>
	\$	9,234.00

**FUTURE PROJECTS**

Meade to Center Valley Rd - 3700'	
Tree & brush cutting, dredge	\$55,000.00
Krueger Rd to 12 Corners Rd - 1700'	
Tree & brush cutting, dredge	\$20,400.00
French Rd to Co Rd C - 8500'	
Tree & brush cutting, dredge	\$85,000.00
Mielke Rd to Christensen's - 2000'	
Dredge	\$10,000.00
Ballard up to Mary Joan Ct - 1500'	
Dredge	\$7,500.00