

**MINUTES OF THE  
OUTAGAMIE COUNTY DRAINAGE BOARD MEETING AND PUBLIC HEARINGS  
TUESDAY, MARCH 7, 2023**

**MEMBERS PRESENT:** Al Kramer, Jr., Greg Nettekoven, Jason Van Eperen, Mike Van Asten, Gerald Vander Heiden

**OTHERS PRESENT:** Justin Keen, Cedar Corporation; Greg Baneck – OC Land Conservation Department; Al Timm, Town of Osborn; Harlan Volkman; Bob Fox, Clark Fox, Steve Schmeichel – Town of Center Board, Dan Stingle, Brad Johnson, Scott Hrcicirik, Chris Pagels – Village of Greenville, Luke Hickey – Cedar Corporation, Rich Fox, Theresa Van Rossum, Gary Coenen, John Neumeier – City of Kaukauna, Pete Hofacker – Town of Center Board, Ronald Klemp – Town of Center Board, Gary Fox, Riley Fox, Jeff Rushick – Schuler & Associates, Kari Bertl – United Cooperation, Toby Paltzer – Town of Center Board, David Mosar – Mau & Associates

The meeting was called to order at 8:30 a.m. by President Kramer at the Town of Osborn Town Hall.

**REVIEW AND APPROVE MINUTES OF FEBRUARY 7, 2023 MEETING**

Van Asten moved, seconded by Vander Heidin to approve the minutes of February 7, 2023 as presented. ROLL CALL: 5 aye, 0 nay. Motion Carried

**PUBLIC PARTICIPATION/COMMENTS** – no participation

**LAND CONSERVATION DEPARTMENT REPORT –**

Greg Baneck, OC Land Conservation Department (LCD) reported spring run off will be rough on Oneida Hobart project. Area will need to be seeded and netted to keep the project in line. Verhassel property owners were not pleased with the casting of soil on their alfalfa field. There will be some compensation for the damage. LCD will survey the area to determine the amount of damage and compensation.

The crossing to the west of the current job needs to have the ditch cleaned out so nothing will be done until that occurs.

Reports on Districts – District/Projects and work in progress reports

Center-Grand Chute District – Big Ring Storage – As builts received, slope of site drainage issue-waiting for Town of Grand Chute response.

Tree cutting letters were sent out for project 4 sites – 1 in Center-Grand Chute; 2 in Duck Creek and 1 in Vandenbroek. Van Eperen and Nettekoven have received calls from a few of the property owners regarding the cutting.

Al Timm, Town of Osborn Chairman, reported the subdivision is having some water issues near where the ditch needs to be cleaned out. Road ditches need to be cleaned out also but needs elevations.

Mike Salter called there is some brush in the ditch on Ott Road. Need to place something to catch the brush to alleviate blockage.

Darin Stingle provided a price to clean out the legal drain from the weir to the west.

**9:00 A.M. PUBLIC HEARINGS**

– Public Hearing for a legal drain connection request received from Open Gate Event Venue, Eric and Elizabeth Kositke owners, Center Valley Drainage District – new construction

President Kramer opened the Public Hearing at 9:00 a.m. The notice was read.

Justin Keen, Cedar Corporation, reviewed his comments. Received and placed on file.

Kramer asked if there were any questions or comments.

Van Asten moved, Van Eperen to close the public hearing at 9:05 a.m. The hearing will be held open for 30 days for written comments.

- Public Hearing for a legal drain connection request received from Richard and Kristi Fox, owners, Freedom Drainage District – construction of a 6,000 sq foot addition to existing shed

President Kramer opened the Public Hearing at 9:06 a.m. The notice was read.

Justin Keen, Cedar Corporation, reviewed his comments. Received and placed on file.

Nettekoven questioned if the rate of flow of 2% includes everything on that parcel being developed.

VanEperen moved, seconded by Van Asten to close the Public Hearing at 9:11 a.m. The hearing will be held open for 30 days for written comments.

Nettekoven – 5 acres are being developed, looking at 1% rate of flow, is this enough? Keen – The total disturbed area is used to calculate the flow. Keen will look at the calculations again.

- Public Hearing for a legal drain connection request received from United Cooperative, owner, Center Valley Drainage District – new construction

President Kramer opened the Public Hearing at 9:12 a.m. The notice was read.

Justin Keen, Cedar Corporation, reviewed his comments. Received and placed on file.

Jeff Rustick, Schuler & Associates – The railroad requested the culvert under the tracks be abandoned and the water would flow to the ponds and wetlands. The spur area drains to the wetland and to the ponds. All the pavement except the area from the swales is captured by the ponds. DNR looks at railroad track areas as non-pervious.

Nettekoven – is there any concern about water sitting back by the houses. Rustick: A swale is provided to protect the area by the houses.

Kramer – the existing wetland area is staying? Rustick – yes, trees will have to be cleared

Nettekoven – Is the water discharging to the property to the south?

Kramer – That is a separate parcel and not part of this development

Rustick – What does the Board want to see for volume? County uses meadow rates which is 39 cfs.

Keen – Need to hold water longer in the ponds.

Kramer – what if the pond was deeper? With a 3" discharge? Keen – it would slow it down but the calculations would have been be ran.

The Board was in agreement to try to slow down the discharge with a minimum 4" pipe. Which in reality would result in the pond holding the water longer, 4" on main pipe, 6" on overflow pipes.

Kramer – Any other questions from the floor?

Van Eperen moved, seconded by Vander Heiden to close the public hearing at 10:07 a.m. The hearing will be held open for 30 days to received written comments.

## **OLD BUSINESS**

Duck Creek Annexation –Plans/profiles submitted to DATCP for review/approval on July 24, 2020 – will meet with Woodward to discuss submittals to DATCP

Center-Grand Chute Reassessment Study Update - nothing to report

Oneida Nation Agreement Renewal – nothing to report

James VanCamp property – Previous court decision, referred to legal counsel for advice – need to meet with owner  
Pierce Manufacturing – Center-Grand Chute District – Pending DATCP approval

Hurkman Heights – legal drain connection to Vandenbroek District – pending DATCP approval

VSMC Leasing LLC – legal drain connection to Vandenbroek District – pending DATCP approval

Legacy Creekside Apartments (Evergreen Apartments) legal drain connection– City of Kaukauna is requesting a 50 foot setback to be consistent with their ordinance. Mike Van Asten moved, seconded by Nettekoven to approve with a 50 foot setback and comment requirements as listed from Cedar Corporation review dated February 6, 2023. Roll call: 5 aye, 0 nay. Motion carried.

Apple Valley Rock Solid Concrete – legal drain connection – flows were fine, updated site plan was received increasing the size of the building – Vander Heiden moved, seconded by Van Asten to approve the plan as presented with the comment requirements as listed from Cedar Corporation review dated January 2, 2023. Roll call: 5 aye, 0 nay. Motion carried.

USDA Grant Application Status Report – Chris Pagels reported the Village of Greenville Board approved a resolution regarding their involvement with the grant process.

## **NEW BUSINESS**

Applications received for Legal Drain Connections:

- Schnettler Properties, LLC, W6570 Quality Court, Greenville – Center-Grand Chute District – project involves the construction of a warehouse addition with associated truck docks and storm water facilities for Contract Converting – This project is located within the Village of Greenville Stormwater Plan and contains only a small portion within the drainage district. Keen with review the proposed and report to the Board.

Review of Invoices/Financial Report – Financial reports were reviewed through February, 2023.

Schedule next regular meeting date – Due to availability of venue, the next regular meeting will be held Wednesday, April 12, 2023, at 8:30 a.m. at the Town of Osborn Town Hall

Adjournment - Vander Heiden moved, seconded by Van Eperen to adjourn at 10:17 a.m.

Respectfully submitted,

Nancy J. Christensen  
Administrative Assistant