

**MINUTES**  
**OUTAGAMIE COUNTY DRAINAGE BOARD MEETING & PUBLIC HEARING**  
**AUGUST 1, 2023**

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

**OTHERS PRESENT:** Greg Baneck, Same Welch, LCD; Justin Keen, Cedar Corporation; Al Timm, Town of Osborn; Bob Fox; Harlan Volkman; J. Fred Husman; Kurt Vanden Heuvel; Brad Johnson; Josh Molter, Excel Engineering

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 JULY 5, 2023 MEETING**

Van Asten moved, seconded by Vander Heiden to approve the minutes of July 5, 2023 as presented. ROLL CALL: 5 aye. Motion Carried

Public participation/comments – Kurt Vanden Heuvel, 3068 Kortney Lane, addressed the board with questions on the special assessment charges to property owners within Duck Creek Drainage District. Vanden Heuvel submitted written questions to the Board. This issue will be added to the September agenda for discussion and at which time the Board will respond to his list of questions.

Nettekoven moved, seconded by Vander Heiden to revise the Agenda to add: under Old Business - Legal drain connection - Pacific Bells LLC (Taco Bell) - Center-Grand Chute District – DB Approval/DATCP approval. ROLL CALL: 5 aye. Motion Carried

**Land Conservation Department Report**

Greg Baneck reported Sage Tanck from LCD compiled a design for the crossing on Meade Street. This project would not be a cost share project. He recommended re-using the smaller stone that exists now. He was questioned about keeping the stream bed in line with the existing ditch. He will check with Tanck and report back. Sam Welch, new LCD engineering technician, was introduced. He will be working with Oneida Tribe and Ashwaubenon water projects.

**Reports on Districts - Districts/Projects and work in progress reports**

- Center-Grand Chute District – Big Ring Storage – As-builts received, slope of site drainage issue
- Duck Creek: Ballard Road plastic culverts heaving, end walls and stone was placed.
- Weir was cleaned out, Mumford's to the curve, spoils were hauled out – needs to do finishing work with an excavator and a post construction survey needs to be completed.
- Rip rap on Kropp Road was placed, culvert was cleaned out.
- All Districts: Weed Spraying – L & L Clearing, Fairwater, WI - \$110 plus travel time and mobilization plus chemicals; Lowney's \$85/hour per person, will use 2 people, plus chemicals. Kramer will contact both vendors and may use both vendors to see how work is performed. The water tank previously used other years may be available from Koss. The Board concurred to proceed with both vendors.
- Tree cutting – Lowney's has done other projects in the area, charges are \$500 per hour includes 5 persons. L & L is \$70 per hour for cottonwoods in Center Valley District. Additional charges for chainsaw \$70/hour, excavator with basic attachments \$175, excavator with mulcher \$275/hour. Big Boys rate is \$56 per hour. Considering using Lowney's for Casaloma and Maloney projects and L & L to cut down cottonwoods. Baneck suggested getting price for each project which includes cutting, mulching and clean up of the area. Pricing was received from Fox Valley Stump Grinding.
- Vandenbroek District – Van Asten reported that during the US 41 expansion, the current culvert under 41 will be replaced by 2 - 56" culverts.

Duck Creek District - Town of Osborn – 42” squash culvert needs to be replaced on Ballard Road, north of Mielke Road. Water ends up going to the weir. (place on next meeting agenda)

**9:00 A.M. - PUBLIC HEARING** – Request for Legal Drain Connection to the Vandenbroek Drainage District. Project is located at the intersection of Rosehill and Evergreen Drive, Town of Vandenbroek. C. R. Buildings, LLC, owner/developer.

Public Hearing was opened at 9:06 a.m. by President Kramer. The notice was read. Said notice was published in the Appleton Post Crescent on July 9, 17 and 23, 2023. Notices were mailed to residents on July 5, 2023.

Justin Keen, Cedar Corporation, reviewed his comments of the project. (copy placed on file)

No other questions were asked. The meeting will be held open for comments until September 1, 2023 for written comments.

Van Eperen moved, seconded by Vander Heiden to close the public hearing at 9:13 a.m.

Nettekoven moved, seconded by Van Asten to submit the C. R. Building project to DATCP for their review and approval. ROLL CALL: 5 aye. Motion Carried

### **OLD BUSINESS**

1. Duck Creek Annexation –Plans/profiles submitted to DATCP for review/approval on July 24, 2020 – Discussed at the meeting on July 20 was the culvert size needs to be verified in various locations. Vander Heiden and Nettekoven will get the sizing.
2. Center-Grand Chute Reassessment Study Update - nothing new to report
3. James VanCamp property – Previous court decision, referred to legal counsel for advice – need to meet with the owner
4. Pierce Manufacturing – Center-Grand Chute District – Pending DATCP approval
5. Legal drain connection request received from United Cooperative, owner, Center Valley Drainage District – new construction – Pending DATCP approval. Verbal approval was received.
6. Legal drain connection - Central Land LLC – Vandenbroek District – Pending DATCP approval – Van Asten moved, seconded by Vander Heiden moved to approve the legal drain connection as submitted and with the conditions as specified in the Cedar Corporation letter. ROLL CALL: 5 aye. Motion Carried
7. USDA Grant Application Status Report – Waiting for Ellington, Black Creek, Greenville, and Drainage Board (check with Nick as to status)
8. Freedom Drainage District – Extension of legal drain from County Road J to Farrell Road – Van Asten moved, seconded by Vander Heiden to proceed with bringing the said area into the Freedom Drainage District. ROLL CALL: 5 aye. Motion Carried
9. Legal drain connection - Pacific Bells LLC (Taco Bell) - Center-Grand Chute District – DB Approval/DATCP approval – Van Asten moved, seconded by Vander Heiden to approve the legal drain connection effective August 4, 2023 providing no additional written comments are received. Conditions as stated in Cedar Corporation letter must be met/provided. ROLL CALL: 5 aye. Motion Carried

### **NEW BUSINESS**

Stormwater Guidance – Review rate of flow calculation method and situations – A situation was realized when there are two drains within the same area with different discharge rates. There currently is nothing in the Storm Water Guidance to address this situation. Keen suggested the following language be added to the guidance: “If a proposed site drains to multiple legal drainage branches or laterals, stormwater from the site shall be managed to meet the requirements of the legal drainage branch with the lowest 10-year, 24 hour discharge rate.” Discussion was held on the issue. Keen will verify the wording in the current Storm Water Guidance and provide an up-date at the next meeting.

Review of Invoices/Financial Report – July expense reports were distributed and review.

Discussion was held on follow up of previous legal drain connection approval and documents that were suppose to have been submitted are received. Keen and Christensen will compile the records to date and follow up with the owners/engineers. Keen also suggested looking at pond inspections that they are functioning and are complete.

It was suggested to reach out to the Land Development and Zoning Coordinator to meet with them to discuss how to work together that is most beneficial to the county and drainage districts.

Legal Drain Connection Applications Received:

J Springs Dairy/Judith Springstroh – Duck Creek – Public Hearing scheduled for 9-5-23

Schedule next regular meeting date is September 5, 2023 at 8:30 a.m. at the Town of Osborn Town Hall.

Van Asten moved, seconded by Vander Heiden to adjourn at 10:15 a.m.

Respectfully submitted,

Nancy J. Christensen  
Administrative Assistant