

MINUTES
OUTAGAMIE COUNTY DRAINAGE BOARD MEETING & PUBLIC HEARING
SEPTEMBER 5, 2023

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

OTHERS PRESENT: Greg Baneck, LCD; Justin Keen, Cedar Corporation; Al Timm, Town of Osborn; Harlan Volkman; J. Fred Husman; Kurt Vanden Heuvel; Brad Johnson; Ernie Schumacher, Ryan Vande Voort, CRE Storage; Linda Vosters-Salm; John Roach; Pete Mulle; Sam Ziegler

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 AUGUST 1, 2023 MEETING

Van Asten moved, seconded by Vander Heiden to approve the minutes of August 1, 2023 as presented. ROLL CALL: 5 aye. Motion Carried

Public participation/comments

Land Conservation Department Report – Greg Baneck reported Logan from LCD surveyed the County Road CC to State Road 55 grade. Oneida- Hobart District - more 2 stage projects are being proposed with NEW Water between McCabe to Bain. There may be funding available for Farrell Road to County Road J if 2 stage is used. The piece from the quarry and County Road U, if NEW Water works with LCD on the project, the cost to remove the trees may be covered.

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 District - John Schmidt property – ditch issues – on-site meeting held August 30, 2023. Originally the ditch was mapped out in 1957. Harland Volkman provided maps showing the original design. Baneck reported Randy Schmidt wants to work with John Schmidt to show that the tile is not functioning and the ditch needs to be cleaned out. He is asking for time to work this out prior to the Drainage Board doing any work.

Duck Creek District - Section from weir west to Mumford's has been cleaned out. Clean up and a final pass to smooth everything needs to be done. Culverts need to be installed this fall.

Weed Spraying – Center Valley District is done, Duck Creek District almost done.

Vandenbroek District - Haen Drive – Patio being built out into the buffer and legal drain. Building within 20 feet of the bank. There are 5 properties in violation that the City of Kaukauna is working on.

Duck Creek District - N4277 County Rd PP, north of S, the property got sold. Owner was planting trees within the buffer and legal drain. Kramer verbally discussed the violation with the property owner. The trees have been removed from within the buffer/corridor.

N4840 Meade Street – A dozen 15 foot pine trees were planted within the 20 foot buffer, not the required 75 feet. The trees were spaded in. The owner was not cooperative when contacted. A certified letter will be sent to Andy Parker of the violation.

Edgewood Drive/Edgewood Meadows (Doxby's) private ditch off the legal drain. Al Timm and Al Kramer met with the home owners about clearing out the trees and then make it part of the legal drain. When the drain is cleaned out it will help the town with drainage and road issues.

Tree cutting projects – Center/Grand Chute District - Casaloma/McCarthy and Vandenbroek District - Maloney/JJ
Need to compile what needs to be done.

9:00 A.M. - PUBLIC HEARING – Request for Legal Drain Connection to the Duck Creek Drainage District. Project is located at W3389 County Road EE, Town of Freedom. Petitioner: Judith Springstroh, owner

The Public Hearing was called to order at 9:05 a.m. by President Kramer. The Notice of Public Hearing was read. The notice was published in the Appleton Post Crescent on August 10, 18, and 27, 2023.

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

Linda Vosters-Salm, 1311 County Road S, owner to the east has concerns about the overflow into Duck Creek. How will this be handled? Keen explained the requirements and explained the process of how the pond works. She requested to see a picture/plan of the pond. The design engineer presented the site plan and it was reviewed with Ms. Vosters-Salm.

No other questions or comments were made.

Van Eperen moved, seconded by Van Asten to close the public hearing at 9:19 a.m.

OLD BUSINESS

1. Duck Creek Annexation –Plans/profiles submitted to DATCP for review/approval on July 24, 2020
2. Center-Grand Chute Reassessment Study Update – nothing to report
3. James VanCamp property – Kramer needs to contact owner to discuss issues.
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 – DATCP approval received August 22, 2023
6. Legal drain connection - Central Land LLC – Vandenbroek District –Pending DATCP approval – comment was received that the project may have been terminated. Need to check with owners if withdrawn
7. USDA Grant Application Status Report – Reports are under review. Would like to do an on-site this fall.
8. Freedom Drainage District – Extension of legal drain from County Road J to Farrell Road – Petition was received, letters have been mailed to the property owners of public hearing on October 5.
9. Legal drain connection -- C. R. Buildings LLC - Vandenbroek District – Vander Heiden moved, seconded by Van Eperen to approve with the conditions as stated in the Cedar Corporation review dated July 24, 2023 and to forward to DATCP for their review and approval. Roll call: 4 aye – Kramer, Nettekoven, Van Eperen, Vander Heiden; 1 abstain – Van Asten. Motion carried.
10. Stormwater Guidance – Review rate of flow calculation method and situations. The following revisions were reviewed:

Page 3 – Add 2nd paragraph “Board approval is required for all sites with proposed actions that will result in one acre or more of land disturbance. Land disturbances of less than one acre may require Board approval on a case-by-case basis if the disturbances are part of a common plan of development which will result in one acre or more of total land disturbance. Board approval may be required on a case-by-case basis for proposed actions of less than one acre of land disturbance if the site is directly adjacent to a legal drain and will have impacts to the legal drain.”

Page 3 – Low impervious areas – A minimum ~~Maximum~~ 1% of drainage area to be set aside for infiltration.
Page 3 – Moderate imperviousness - A minimum ~~Maximum~~ 2% of drainage area to be set aside for infiltration.

Page 4 – High imperviousness - A minimum ~~Maximum~~ 2% of drainage area to be set aside for infiltration.
Page 4 - Add 2nd paragraph under hydrology analysis: “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. This requirement will be evaluated by the Board on a case-by-case basis.”

Van Asten moved, seconded by Vander Heiden to approve the revisions as presented. Roll call: 5 aye.
Motion carried.

NEW BUSINESS

1. Discussion of questions regarding Duck Creek Drainage District presented by Kurt Vanden Heuvel
Questions Mr. Vanden Heuvel submitted were reviewed. His questions concerned the Duck Creek District and how the special assessment rate was established and justified. Christensen will compile additional information and provide it to Vanden Heuvel.
2. 2023 Inspection Reports of Districts / Buffer violations were reviewed. During inspections 17 areas were flagged with concerns. The Board directed the following property owners were to receive warning letters stating the buffer/corridor violation: #1 – owner has contacted Nettekoven, will correct this fall; #2 – Barclay – send warning; #3 – Baumgartner – send warning; #4 & #5 – ok, buffer is there; #6 & 7 – James Effa corridor no buffer – send warning; #8 – G & L Schultz – had buffer, planted to buffer send letter; #9 – Jaha – need warning letter; #10 & 11 – Gary Kortz - being redone with 2-stage; #12 – Lee Lemke – Warning letter; #13 thru 15 – MS Real Estate – fine, check for previous warning letter; #16 – Tetzlaff – warning letter; #17 – VandeLoo Farms – brush pile needs to be moved.

Review of Invoices/Financial Report – Financial Reports were reviewed.

The next regular meeting will be October 3, 2023 at 8:30 a.m. at the Town of Osborn Town Hall

Legal Drain Connection Applications Received: none

Van Asten moved, seconded by Vander Heiden to adjourn at 10:58 a.m.

Respectfully submitted,

Nancy J. Christensen
Administrative Assistant