

Green Lake County *Drainage Board*

571 County Rd. A
Green Lake, WI 54941-3188

Steven Foust - 920-426-3639
David Gneiser - 920-369-6314
Richard M. Sobieski - 920-229-5285

**Drainage Board
December 1, 2021
6:00 P.M. – 7:10 P.M.
Training Room, Green Lake County Government Center
571 County Rd. A, Green Lake, WI 54941**

Call to Order: The meeting of the Drainage Board was called to order by Chairman Gneiser. The requirements of the open meeting law were certified as being met.

Present: David Gneiser
Steven Foust
Richard M Sobieski

Also Present: LeRoy Petit, W. James Morris, Ken Donohue, Mark Piechowski, John & Dorean Imobersteg, Jim Trochinski, Mike Kalwitz, Victor Schrock, Barton Chapman – State Drainage Engineer (zoom), Todd Morris – Green Lake County Land Conservation Department

Agenda: *Motion/second (Sobieski/Foust)* to approve the agenda as presented. Motion carried.

Minutes: *Motion/second (Sobieski/Foust)* to approve the October 27, 2021 meeting minutes as presented. Motion carried.

Public Hearing to Address Petitions to Withdrawal in Seneca-Warren and District 5 Drainage Districts: Hearing was started at 6:00 p.m. and the opening statement was read by Mr. Gneiser. Purpose of public hearing is to address the Petitions to Withdrawal Lands in the Seneca- Warren and District 5 Drainage Districts.

Testimony at hearing:

W. James Morris – thanked the board for adjusting errors of previous assessments. Mr. Morris doesn't want the ditch, doesn't need it, and would like to be withdrawn. He stated he appreciates working with the board.

John Imobersteg – Doesn't believe he is receiving any financial benefit from the ditch, private ditches have received no maintenance because each individual landowner is responsible to maintain them.

Victor Schrock – feels that lands north of Hwy F get a benefit, and if they were blocked off then Rod Zietlow, downstream, wouldn't get flooded. Feels that water north of Hwy F still flows to district drain. Mr. Sobieski responded that the problem is the water is not getting into district drain, water is backing up in laterals, and for this reason the landowners are not getting any benefit from the ditch. Mr. Foust also responded that there are different issues, not all landowners that are being assessed are farmers, and those landowners are not getting any monetary benefit from the ditch.

Mr. Foust had a letter from Richard Dukelow, chairperson, from 2002 stating that he wanted to expand the district. The letter had been written by David Russell, PE State Drainage Engineer. Mr. Foust stated that this was not legal.

LeRoy Petit – owns land in District 5 and doesn't feel that he receives any benefit from having the tile in road ditch bottom. His house is 115 feet back from ditch. He would like the board to withdrawal his land from district and stop the tile line installation at his east property line. Mr. Petit stated that his

neighbor, Mr. Steeger, also wants to be withdrawn, but Mr. Steeger didn't submit a petition. Board will not act without a petition submitted to them.

Action on Petitions:

Motion/second (Foust/Gneiser) to approve the withdrawal petition for parcels 020-00011-0000, 020-00009-0000, 020-00004-0000, 020-00005-0000, 020-00023-0000, and 020-00002-0000 owned by Richard M. Sobieski. Motion carried. Mr. Sobieski abstained from voting.

Motion/second (Sobieski/Foust) to approve the withdrawal petition for parcels 020-00025-0000, 020-00008-0000, and 020-00010-0000 owned by Gneiser Living Trust. Motion carried. Mr. Gneiser abstained from voting.

Motion/second (Foust/Sobieski) to approve the withdrawal petitions for the rest of lands located north of County Road F. They include parcels 002-00084-0101, 002-00085-0200, 020-00013-0300, 020-00012-0200, 020-00006-0100, 020-00007-0100, 020-00014-0100, 020-00012-0000, 020-00013-0000, 020-00013-0100, 020-00017-0000, 020-00015-0000, 020-00017-0300, 020-00021-0100, 020-00003-0000, 020-00013-0200, 020-00006-0000, 020-00007-0000, 020-00021-0000, 020-00005-0100, 020-00009-0100, 002-00083-0000, 002-00085-0100, 020-00014-0000, 020-00049-0000, 020-00016-0000, 020-00026-0000, and 020-00017-0200. Motion carried.

Motion/second (Sobieski/Foust) to approve the withdrawal petitions in the NW corner of the Seneca-Warren drainage district. They include parcels 034-03144-0300, 034-03113-0120, 034-03142-0100, 034-03142-0200, 034-03143-0100, 034-03144-0200, 034-03131-0210, 034-03121-0000, 034-02933-0100, 034-03224-0200, 034-03113-0110, 034-03144-0000, 034-03124-0100, 034-03231-0100, 034-03234-0100, 034-03242-0000, 034-03243-0000, 034-03144-0100, 034-03141-0500, 034-03141-0100, 034-03244-0000, 034-03111-0000, and 034-03113-0200. Motion carried.

Motion/second (Foust/Sobieski) to approve the withdrawal petition from LeRoy Petit and end the tile at the east property line of parcel. Parcel number is 002-00103-0000. Motion carried.

Public Comment: none other than what at public hearing.

Appearances: None

Discussion/Action Regarding State Statute 77.84: Mr. Foust stated that per Statute 77.84 Managed Forest Law cannot be taxed. The WI Supreme Court Ruled that assessments are taxes and therefore managed forest law land cannot be assessed. Mr. Sobieski wanted to clarify that this just affects Managed Forest Law land.

Motion/second (Foust/Sobieski) to follow existing law of the State of Wisconsin and not assess Managed Forest Law land for drainage. Motion carried.

Vouchers: none

Correspondence: Written comment submitted by Pat Krueger objected to the withdrawal of lands north of County Road F.

Committee Discussion: Green Lake County Land Conservation Department will invoice the drainage board for reimbursement of time for Todd Morris.

South Road culvert cleanout, Mr. Sobieski will discuss this with Petraszak Excavating.

Future Meeting Date: no date set at this time, will be fall of 2022

Future Agenda Items for Action & Discussion:

Adjourn: Motion/second (Sobieski/Foust) to adjourn. Motion carried.

Respectfully submitted, Todd Morris, Recorder

Meeting expenses: Ditch #1	_____	Ditch #5	<u>5%</u>
Ditch #2	_____	Seneca-Warren	<u>95%</u>
Ditch #3	_____	General	_____
Ditch #4	_____		

DRAFT