

**OZAUKEE COUNTY FARM DRAINAGE BOARD
ANNUAL BOARD MEETING
November 14, 2016**

The annual meeting of the Ozaukee County Farm Drainage Board was called to order at 10:00 a.m., on the 14th day of November, 2016, by Chairman Francis Kleckner. Present were Commissioners Francis Kleckner, Daniel Birenbaum, and Gerald Gantner, and Attorney for the District, Michael P. Herbrand. Notice of the meeting was found to have been properly published in the Ozaukee Press and the Lakeshore Weekly, for two consecutive weeks prior to the meeting date.

The minutes of the previous annual meeting were read by Attorney Herbrand. A discussion ensued as to why certain expenses and costs were paid fully out of the Drainage District I account last year and why the District II did not contribute to these costs. It was agreed that this was best discussed during the Treasurer's report. Motion by David Mueller, second by Daniel Teunnisen, to approve the minutes. Motion was approved by unanimous voice vote.

Attorney Herbrand reported that there is a total of \$14,675.53 in the Belgium/Holland Drainage District I account, and \$746.16 in the Belgium/Holland Drainage District II account. At this time, the discussion of the payment of Board members' fees, disbursements from Houseman & Feind, LLP, and the annual payment to the Wisconsin Association of Drainage Districts was discussed and it was agreed that these costs should be annually split evenly between the two District accounts. However, in light of the fact that Drainage District I was assessed in 2015-2016, it was agreed that the attorney fees should be assessed fully to Drainage District I. The Board members' fees, disbursements and payment to the Association of Drainage Districts was paid entirely by Drainage District I in 2015. These costs should be split evenly between the two District accounts in the future, but in order to correct the overpayment for 2015, it was agreed that 100% of these costs would be paid out of the District II account in 2016. Subject to this discussion, there was a motion by Chairman Kleckner, second by Daniel Birenbaum, to approve the Treasurer's report. Motion was approved by unanimous voice vote.

The Board then discussed the current work in Drainage District I between County Highway K and County Road RR. Daniel Teunnisen provided a written proposal for the work to be done, including stump removal, at a cost of \$16,000.00 for the full mile of ditch area. Permits for work would have to be paid by each individual land owner, adjacent to the ditch. The land owners were further responsible for spreading the removed debris on their property. Chairman Kleckner asked to know the individual rates per hour. Daniel Teunnisen contacted the contractor and reported that the cost per hour was \$110.00 per hour for the use of an excavator, and \$90.00 per hour for the use of a bulldozer. It was the general consensus that the proposal was fair. It was discussed that if individual land owners wanted the contractor to assist in the spreading of the removed debris, that owner should contract

directly with the contractor. Daniel Teunnisen discussed the fact that he would like to see a road established along the ditch line for access and to prevent trees and vegetation from growing in that area.

The Board then discussed the prior assessment of Drainage District I. There was a motion by Chairman Kleckner, second by Gerald Gantner, to certify the unpaid assessments pursuant to Section 88.42 of the Wisconsin Statutes. Motion passed by unanimous voice vote.

There was further discussion of land owners who were previously assessed but may have been omitted from this assessment. A list of owners who were previously assessed was distributed. Attorney Herbrand was asked to look in to the following properties and land owners:

1. Dave Schemburg Section 9 on Lone Elm Road
2. John F. Jacoby Trust Section 4 on Jay Road
3. Mark Jacoby Section 4 on Highway KW
4. Michael Poplin Section 9 at the corner of KW and Jay Road
5. Mr. Batzko Section 9 on Lone Elm Road
6. Bill Janeshek Section 16 at the intersection of KW and Hwy. D
7. Hill Valley Estates Section 16 on Highway KW
8. Marilyn Fromm Section 16 on Highway D
9. Noll Survivors Trust Section 4 on Highway KW

Debbie Poull has offered to cross-check the prior assessment against the list of land owners that were assessed and will send Attorney Herbrand a letter noting any land owners that may have been omitted. Attorney Herbrand will then take the list provided by Ms. Poull and the list discussed at this meeting, to the Ozaukee County real estate office to inquire as to the history of these parcels and land owners, and determine whether or not they were incorrectly omitted.

The Board then discussed the James Manders assessment. Mr. Manders showed records from the 2007 assessment that confirmed that he was assessed for property that he sold to Michael Kruse, and that Mr. Kruse was also assessed for that identical property. Mr. Manders was assessed a total of \$396.75, and Mr. Kruse was assessed \$312.00 for a difference of \$84.75. Mr. Manders does not contest his assessment of \$84.75, but is seeking a reimbursement for the difference, in the amount of \$312.00. It was agreed by the Board that this was a double assessment, and, therefore, there was a motion by Chairman Kleckner, second by Daniel Birenbaum, to reimburse Mr. Manders \$312.00 in overassessment.

Mr. Manders then discussed the 2015 assessment. He noted that the use of his land has now been converted to farmland to woodland. In addition, he noted that he was assessed in excess of similar-sized properties surrounding him. His assessment for 2015 was \$167.48, while similar properties surrounding him were assessed at the rate of \$105.00. The