

**OZAUKEE COUNTY FARM DRAINAGE BOARD  
ANNUAL BOARD MEETING  
November 5, 2018**

The annual meeting of the Ozaukee County Farm Drainage Board was called to order at 10:00 a.m., on the 5th day of November, 2018, 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 Special Board Meeting of January 22, 2018, and Annual Board Meeting of November 13, 2017, were read by Attorney Herbrand. Motion by David Mueller, second by Daniel Teunnisen, to approve both sets of Minutes, subject to a correction of the date of the annual meeting in page two of the Minutes and the attachment of all exhibits to the Minutes. Motion was approved by unanimous voice vote.

Attorney Herbrand reported that there is a total of \$12,702.37 in the Belgium/Holland Drainage District I account, and \$403.68 in the Belgium/Holland Drainage District II account. There was a discussion that District II should be contributing to the annual operating expenses for the Drainage Board. It was further discussed that District II had not contributed to the annual operating expenses for at least one year. Therefore, it was agreed that District II would repay District I for all of the operating expenses for 2018 once it received money from the upcoming assessment intended for early 2019. There was a motion by Gerald Gantner, second by Francis Kleckner, to approve the Treasurer's report. Motion was approved by unanimous voice vote.

Herman Feizerzen raised a concern that the Village of Belgium and, specifically the Ardennes Subdivision, was not included in the prior District I assessment. Chairman Kleckner indicated that this would not be allowed. David Mueller noted that the Ardennes is a new subdivision and had storm water maintenance facilities installed. Attorney Herbrand and Eric Fehlhaber spoke to this issue and indicated that most new subdivisions are to be constructed in order to self-contain the storm water. Therefore, the storm water should not flow from the subdivision at a higher velocity than it originally did, before the land was developed as a subdivision. Attorney Herbrand indicated that the District would need to hire an engineer to prove that the water was flowing at a greater degree after the subdivision was constructed, than before.

Eric Fehlhaber reported that he investigated the need for Chapter 30 permits for the work to be done in District I and, as a result of recent law changes, no permits were necessary. The only permit that the District needed was a Sheboygan County Shoreland Zoning Permit, which was issued to the District on June 16, 2018. That permit is good for one year. Mr. Fehlhaber began contacting the proposed contractor to do the ditch dredging work, but has not, to date, received a response. Daniel Teunnisen reported that he would attempt to contact the contractor, and that the work could be done over the winter, and around the timelines allowed by law.

The Board discussed the prior assessment of District I and identified a number of land owners who were omitted from the assessment. It was the consensus to assess those land owners who were omitted, and Attorney Herbrand was directed to pursue such assessment in 2019.

Attorney Herbrand showed the Board the proposed assessment for District II. He noted that there has been no assessment of District II in the time that he has represented the Board, but that this assessment was developed using old District records. There was a consensus by the Board to pursue the District II assessment as presented by Attorney Herbrand.

Various bills were presented from the District. The following bills were discussed for payment:

Francis Kleckner - Commissioner's fees	\$ 60.00
Gerald Gantner - Commissioner's fees	\$ 60.00
Daniel Birenbaum – Commissioner’s fees	\$ 30.00
Houseman & Feind, LLP - attorney fees	\$ 2,449.13
Houseman & Feind, LLP - disbursements	\$ 134.76
Wisconsin Assn. of Drainage Districts - 2019 dues	\$ 100.00

The Board then discussed the quest for donations from the Racine County Board of Drainage Commissioners related to the letter request from Racine County dated June 27, 2018. This request was related to the amount of legal fees incurred by the Racine County Board of Drainage Commissioners when seeking the recent law changes from the Wisconsin Legislature. It was moved by Daniel Teunnisen, second by David Mueller, to give a \$1,000.00 donation to the Racine County Board of Drainage Commissioners, in light of the fact that the recent law changes were of great benefit to the Ozaukee County Drainage Board, and specifically with regard to the permit waivers. Motion passed unanimously. Motion by Francis Kleckner, second by Gerald Gantner to approve payment of all of the bills. Motion passed unanimously.

There was a discussion regarding the fact that Daniel Birenbaum's term is expiring at the end of the year. There was a motion by Francis Kleckner, second by Gerald Gantner, to appoint Board member Birenbaum to another three year term on the District Board. Motion passed unanimously. There was a motion by Daniel Birenbaum, second by Gerald Gantner, to approve the Annual Report. Motion approved by unanimous voice vote.

There was a discussion by the Board that there would be no assessment of District I this year.

There was a discussion of the next meeting date for the District. Historically, the meetings are set for the Monday of the week prior to Thanksgiving week. However, that Monday in 2019 is Veteran's Day, and the County Administration Building will be closed. It was agreed that next year's annual meeting would be set for November 4th, 2019, at 10:00 a.m.

There being no new business coming before the Board, meeting adjourned at 11:15 a.m.

Respectfully submitted,

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Gerald Gantner, Secretary

APPROVED:

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Francis Kleckner, President