

NORTHERN OZAUKEE FARM DRAINAGE BOARD MINUTES

Annual Meeting-- Monday, November 13, 2023

The annual meeting of the Northern Ozaukee Farm Drainage Board was called to order at 10:02 a.m., on the 13th day of November 2023, by Chairman Daniel Teunissen. Present were Commissioners Daniel Teunissen and David Mueller, Attorney for the District, Michael P. Herbrand and District Record Retention Clerk, Cindy Oskey. Dan Birenbaum was excused. Guests in attendance were Sandi Tretow, Ozaukee County Treasurer, Laura Henning-Lorenz, Sheboygan County Treasurer, Gene Dana, Roger Prinsen, Norman DeRuyter, Don Feyereisen, Gwen Gesch, Karl Gesch from Tree Bros., and Ryan Elbe from Elbe Land & Water Management. Notice of the meeting was found to have been properly published in the Ozaukee Press and the Lakeshore Weekly, two weeks prior to the meeting date.

The meeting began with the Pledge of Allegiance.

Prior annual meeting minutes from November 14, 2022, were read by David Mueller to the board and guests. Motion by David Mueller, seconded by Dan Teunissen to approve the minutes with one correction to modify the date of the next meeting to January 23, 2023. Minutes from the prior special meeting of October 30, 2023, were read by David Mueller. Motion by David Mueller, seconded by Dan Teunissen to approve the minutes. Motion passed by unanimous vote.

Sandi Tretow, Ozaukee County Treasurer presented the treasurer's report, which was available to all in attendance. She noted the balance in the account as of November 8, 2023, was \$92,534.24, uncollected 2022 assessments were \$10,190.80 and uncollected 2023 assessments were \$31,590.00. Attorney Herbrand asked the board to certify the unpaid 2023 assessments in order for them to be added to the 2023 property tax bills.

Gene Dana asked why the 2022 unpaid assessments were not included on the 2022 real estate tax bills. Chairman Teunissen explained the timing of the assessment did not allow enough time for that to happen. Roger Prinsen asked what would happen if he would short pay his real estate taxes by the amount of the assessment. Laura Henning-Lorenz explained that special assessments are paid first, and the short pay would result in a delinquent notice in regard to the real estate taxes. Norman DeRuyter asked where bills are processed. It was explained that Ozaukee County processes the bills for all members regardless of the County. Dave Mueller motioned to approve the treasurer's report and to certify the unpaid 2023 assessments, seconded by Dan Teunissen. Motion passed by unanimous vote.

The meeting was opened for public comment. Gene Dana inquired about the 40 ft clearance vs 20 ft clearance. Commissioner Teunissen replied that it can be changed on the spot depending on the circumstances and discussion with

the landowner. He would just have to inform DATCP (Department of Agriculture, Trade and Consumer Protection). He further explained that the measurement is from the top of the bank of the ditch. There was discussion of notifications and Commissioner Teunissen explained the notification process, right away lane, chipping, and prevention of flowing back in ditch, keeping firewood, and allowance of grass strips to be planted alongside. It was also noted Sheboygan and Ozaukee County have a program to cost share the grass planting. Commissioner Teunissen closed the public comments.

Laura Henning-Lorenz, Sheboygan County Treasurer provided an update on the land records. While DATCP was not able to provide all of the necessary documents from 1912 the Ozaukee County Historical Society was contacted. She is also working with the Ozaukee County Clerk of Courts which may have found the documents with the legal descriptions on the formation of Drainage District 1 and 2. From there she will work on boundaries to create a legal map of the now combined districts. There was some discussion on parcels being included and not included over the years due to ownership changes. Laura explained that legally they need to look at the original documents rather than use the map that has been used over the years. It was agreed once this process is completed, which will take some time, the map will catch future ownership changes.

The clerk gave an update on the website and what has been updated and what is still a work in process. There were suggestions to include some history and education. It was noted that suggestions can be emailed to the clerk via the website.

The permit process was tabled for the next meeting as Attorney Herbrand was unable to provide an updated form for approval.

Chairman Teunissen moved on to the bid awarding. He explained the bid amounts were more than he expected but were consistent among the three bids. He was looking for a plan that was more feasible to the district. Chairman Teunissen then motioned to reject all the bids due to the high cost. It was seconded by David Mueller. Motion passed by unanimous vote. The clerk will notify all bidders of the rejections due to cost.

Chairman Teunissen discussed what his new plan is for clearing the ditch. He would like to focus on the one and ½ mile from where the ditch drains into the Onion River and would like to have that stretch completed in early 2024. He wants to make the work more personable and work with the landowners in each area to keep costs down. He introduced Karl Gesch from Tree Bros. He works with residential customers and has smaller equipment than what was proposed in the bidding process. Chairman Teunissen would like to work with two contractors. One with small equipment to handle the brush and another contractor with larger equipment to handle the larger trees. There will be a meeting in January to discuss the options.

As part of the dialogue of working on that particular area of the ditch, the subject of culvert replacements was discussed. There are two culverts in the section that were replaced in 1992 and were too small. The district originally owned the culverts and will have to replace

them. This led back to the permit process and documenting the replacements including making them consistent on diameter size.

Various bills were presented to the Board. The following bills were presented for payment.

Daniel Teunissen Commissioner's fee	\$ 180.00
David Mueller Commissioner's fee	\$ 180.00
Daniel Birenbaum Commissioner's fee	\$ 180.00
Houseman & Feind, LLP attorney fees and disbursements	\$ 8,148.20
Wisconsin Association of Drainage Districts – 2024 dues	\$ 100.00
Cindy Oskey – Records Retention Clerk	\$ 3,350.00
Ozaukee Press – Notice Publication	\$ 91.21
Ozaukee County Treasurer (PAID)	\$ 778.84
Serene Design & Photography (PAID)	\$ 3,820.00

It was motioned by David Mueller to approve the payments, seconded by Dan Teunissen. Motion passed unanimously.

The Board discussed the Annual Report. There was a motion by Dan Teunissen to approve the report and seconded by David Mueller. The motion passed unanimously.

Attorney Herbrand brought forth the paperwork regarding the expiring term of Chairman Teunissen at the end of the calendar year. There was a nomination by David Mueller to re-elect Dan Teunissen as Chairman of the district. There was a second by Gene Dana. There was a voice vote for those members in attendance with all approving and none opposing.

There was no other old business. Chairman Teunissen mentioned the new business of a new culvert to replace the one on the property now owned by Mary Prinsen. The current one is 20 feet wide and should be replaced with a 30-foot-wide culvert. Lukens Excavating of Cedar Grove could do the installation work. There are considerations to be made regarding new or used and plastic vs galvanized culverts. Chairman Teunissen motioned the work to be done if it does not exceed \$25,000. David Mueller seconded the motion. The motion passed unanimously.

There was discussion on the timing of the next annual meeting to provide more time to the respective county treasurers for adding unpaid assessments (if necessary) to the tax bills. It was agreed the next annual meeting will be on October 21, 2024, at 10 am.

The next Special meeting will be January 8, 2024, to discuss how the winter work will be done and what can be done. There is also a meeting scheduled for January 22, 2024, if needed and based on the results of the January 8, 2024, meeting.

Motion by David Mueller, second by Dan Teunissen to adjourn. Motion passed by

unanimous vote. The meeting adjourned at 11:54 am.

Respectfully submitted,

David Mueller, Secretary

APPROVED:

Daniel Teunissen, Chair

UNAPPROVED