

RACINE COUNTY BOARD OF DRAINAGE COMMISSIONERS

c/o Knuteson, Hinkston & Rosenberg, S.C.

500 College Avenue

Racine, WI 53403

(262) 633-2000

Alan Jasperson, Chairman (262) 721-5162

John Vyvyan, Sec., Treasurer (262) 939-1956

Matthew Rowntree, Member (262) 492-2943

Russell Weis, Member (262) 534-2884

Greg Foat, Member (262) 210-4845

Legal Counsel, Atty. Mark R. Hinkston

RACINE AND KENOSHA COUNTY – WIDE DRAINAGE BOARD MINUTES

Date: December 15, 2022

Time: 1:00 p.m.

Place: Racine County Office Building, Ives Groves
14200 Washington Ave
Sturtevant, WI 53177

Procedural

1. Call to Order

a. Commissioner Jasperson called the meeting to order at 1:02 pm.

b. Roll Call

i. Commissioners in attendance: Alan Jasperson, Russell Weis, and John Vyvyan. Gregory Foat and Matthew Rowntree are excused.

ii. Village of Union Grove (hereinafter “VUG”) in attendance: Lawrie Kobza, Boardman Clark LLP, Gary Vogel, Baxter & Woodman, Inc., Steve Wicklund, Village President, Kerry Bennett, Village Administrator, and Rick Piette, Director of Public Works.

iii. Others in attendance: Mark Hinkston, Attorney from Knuteson, Hinkston & Rosenberg, S.C., Al Jeske and Jason Christensen, Engineers from Nielsen, Madsen & Barber, SC, Doug Nelson, Village of Yorkville President, Mike McKinney, Village of Yorkville Administrator, Doug Schwartz, Village of Raymond Trustee, Bart Chapman, State Drainage Engineer with DATCP, andCarolynn M. Frazer, recorder.

c. Pledge of Allegiance

d. Approval of the Agenda

i. Motion by Commissioner Russell Weis to approve the agenda as amended (changing the date for the meeting minutes from November 10, 2022, to December 8, 2022) and seconded by Commissioner John Vyvyan. The Motion was approved unanimously.

e. Approval of Meeting Minutes

i. Commissioner Russell Weis motioned to approve the meeting minutes from December 8, 2022, and Commissioner John Vyvyan seconded the motion. The Motion was approved unanimously.

VUG ASSESSMENT PURSUANT TO WIS. STAT. §88.63 & §88.64

1. 2024-2028 Assessment

a. Opening Statement

- i. Commissioner Jaspersen read the opening statement outlining that the board followed the statutes and rules set forth regarding a public hearing.
- ii. Commissioner Jaspersen outlined the amount sought from the VUG under the proposed assessment.
- iii. Lawrie Kobza requested that the mapping available on the Racine County Board of Drainage Commissioners be added to the record. The board noted her request.

b. Commissioner's Report on Assessment – Budget

c. Engineer Report – Mapping and Benefits/Costs

- i. Al Jeske and Jason Christensen outlined the process used to create the report. The engineers used two components, the runoff generated from within the drainage boundaries and being utilized by district facilities and the second being the effluent from the VUG sanitary sewer treatment plant which uses the district facilities.

ii. Runoff Generation

1. The runoff analysis was calculated using a 2020 aerial image from Racine County to determine the land use of all the properties from within the boundary.
2. With that information, they calculated the runoff from those properties within the drainage boundary and within each municipality that drains into the district facilities using Natural Resources Conservation Service (NRCS) Technical Release 55 (TR-55).
3. Village of Raymond accounted for 36.8%
4. Village of Union Grove 5.2%
5. Village of Yorkville 58%

iii. Effluent from VUG Sanitary Sewer Treatment Plant Calculation

1. Being consistent with all other drainage districts and sanitary sewer treatment plants in the districts, a 10-year average of the effluent from the VUG Grove Sanitary Sewer Treatment plant was taken using a data set obtained from the DNR (2011-2020 years).
2. The average annual effluent from the VUG was determined.
3. Then the volume was compared to the runoff generated from within the district.
4. The VUG Sanitary Sewer Treatment plant is responsible for 32.86% of the runoff from the district.

iv. Project (benefits)= \$3,200,000.00

v. Raymond = \$790,400.00 (24.7%)

vi. Village of Union Grove = \$1,164,800.00 (36.4%)

vii. Yorkville= \$1,244,800.00 (38.9%)

d. Objections

- i. The board received and reviewed an objection from the VUG and it is made part of the record.
- e. VUG – Opportunity to present evidence
 - i. No additional evidence to be presented.
 - ii. The mapping on the Racine County Board of Drainage Commissioners website is added into the record.
- f. Public Comment
 - i. Attorney Hinkston read into the record the Board's objections to the VUG's objection on page 8.
 - 1. The attorneys for the parties stipulate that the VUG's attorney disagrees.
 - ii. The attorneys for both parties stipulate that the numbers submitted in the VUG's objection report may be amended to include the correct numbers.
- g. Motion and possible approval of the \$1,164,800.00 assessment payable in 5 (five) annual installments (2024-2028) pursuant to Wis. Stats. §§88.63 & §88.64.
 - i. Motion to assess the VUG \$1,164,800.00 payable in five (5) annual installments (2024-2028) pursuant to Wis. Stats. §§88.63 and 88.64 by Commissioner John Vyvyan and seconded by Russell Weis. The motion was unanimously approved.
 - ii. The number above reflects the new number due to updated calculations.
 - iii. The Board will issue an Order confirming the assessment and provide it to the VUG and its counsel.

2. Next Drainage Meetings

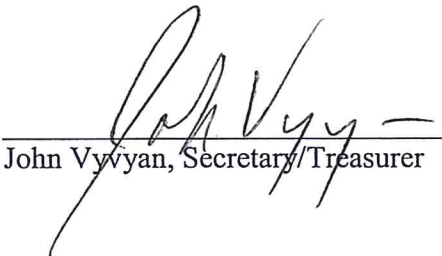
- a. March 16, 2022, at 7:00pm at Ives Grove Complex.

Adjournment

Motion by Commissioner Russell Weis to adjourn the board meeting and seconded by Commissioner John Vyvyan. The meeting adjourned at 1:22 pm.

Approved: _____


Alan Jaspersen, Chairman


John Vyvyan, Secretary/Treasurer