

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
AGENDA FOR SPECIAL TOWN BOARD MEETING
STORMWATER MANAGEMENT**

Tuesday, January 15th, 2013 at 5:30 PM
Algoma Town Hall
15 N. Oakwood Road, Oshkosh, WI 54904

1. Call to order.

The meeting was called to order by Chairman Blake at 5:30 PM.

2. Roll call.

Chairperson Blake	Supervisor Haman
Supervisor Timm	Supervisor Drexler
Supervisor Kierszh	Atty. K. Marone
Treasurer Edson	Clerk Nelson
Road/Drainage Coordinator Tollard	

3. Discuss Honey Creek Improvements - Phase I and Phase II.

A. Status of Phase I Honey Creek Streambank Improvements – final walkthrough this spring.

Mr. Shubak mentioned in the December meeting that a final pay request was received for the contractor for Phase I Honey Creek Streambank Improvement Project. There will be one more final walkthrough in the spring to check primarily for vegetation and movement or failures of the riprap. Pretty much this project is completed and is wrapped up for the winter. No action taken.

B. Status of Phase II Oakwood Road/Honey Creek Culvert Replacement design and permitting.

Strand held off submitting the permits until the geotechnical report was received and reviewed. There were no big surprises that came from the geotechnical report; therefore no changes were made to the design plans as a result of the geotechnical report. The plans are 70-80% complete. The structural design portion of the plans can now be finalized with the information from the geotechnical report. Once the design is completed, Strand will submit the permits.

C. Review of Geotechnical Report from River Valley Testing regarding the Proposed Culvert Replacement of North Oakwood Road over Honey Creek.

The Geotechnical Report was received from River Valley Testing who was deemed the lowest bidder for the soiling boring. Two soil borings were done on site just before Christmas and the Geotechnical Report is dated January 11th, 2013. Strands structural engineers reviewed the report and made some minor changes. The final report will be issued by River Valley Testing next week. The structural engineers reviewed the report for structural calculations as they relate to the footings and the precast culvert. Drexler asked some questions on the geotechnical report. Mr. Shubak did acknowledge that typically there will be material that has to be removed in order to put in the footings and the cost is factored into the plans. This is pretty standard for all projects. It is very likely that the boulders that were found were from the old bridge that was there before the culvert was installed. It's not anticipated that there won't be a lot of boulders because of the location that

the boulders were found which leads Mr. Shubak to believe that they are from the old bridge. There was nothing in the geotechnical report that was a surprise to the point where the structure of the culvert had to be changed.

D. Status of Town Review of Winnebago County Funding Aid Petition – Next Steps.

At the meeting of the December 5th there was a decision made authorizing Strand to draft a petition for the Bridge/Culvert Funding Aide through Winnebago County. Mr. Rank attended the Town Board Meeting of December 19th in which the board reviewed the draft petition. Mr. Rank passed along to Mr. Shubak some concerns, of which would be addressed at this meeting. Mr. Shubak has since had some discussions with Mr. Winters, Winnebago County Highway Commissioner, regarding some of these concerns. The petition has not been submitted to Winnebago County as of this meeting. One of the concerns that Mr. Rank passed along was the last paragraph under the Construction Schedule which explains the scenario of advancing the project so that the work would be done in late 2013 with the funding received in 2014. This is not within the standard for this funding program, but we're asking them to consider this option. Timm doesn't think we should do that if it jeopardizes getting the funding. Mr. Shubak explained that he has spoken with Mr. Winters regarding this option. In the initial conversations, Mr. Winters made it clear that he is not in a position to make that determination; it's not his decision to make. The petition is first reviewed by the County Highway Commission and then recommendations are to the County Board who has the authority to make the determination as to whether or not to make the exception from the standard practice. Timm reiterated that she doesn't think it's a good idea to put constraints on receiving the funding. Mr. Shubak agreed. Mr. Shubak again spoke with Mr. Winters who understands that there is urgency to get the culvert replaced because there is property damage caused by size of this structure. Mr. Winters also understands that this is a high dollar project. Timm interjected again advocating for not putting constraints on receiving the funding. Mr. Shubak offered the option of after the petition is reviewed by the commissioner, that perhaps this would be the time to bring up the urgency of the project. The reason being is that the town is asking for more funding than is typically given to this program so the town doesn't want to do anything to jeopardize the granting of the funds. Mr. Shubak assured the board that it would be easy to drop the last paragraph from the petition before it would be submitted. Hamann would like the Town Board to see a copy of the final draft before it is submitted. Mr. Shubak would also like Strand's structural engineers to take another look at the cost estimates as a result of the geotechnical report. When this is complete, the petition is ready for submittal. Timm and Drexler both advocated for the final draft to be e-mailed to the Town Board Members so that the petition can be submitted well before the June deadline. This action is not compliant with open meetings laws. Therefore, it was asked Mr. Shubak to have the final draft prepared for the February Stormwater Management Meeting.

Drexler pressed to talk about Phase III - Cleaning out of Honey Creek from the Oakwood Road culvert west to the Sheldon Nature Area. This was not on the agenda.

Cathy Chapman asked, given the tight budgets at both the federal and state level, is it worth going after these grants? Mrs. Chapman is referring to the County Aide Funding.

Mr. Shubak can only answer with the information he has been given by Mr. Winters which is the funding program is not a traditional grant program. It's a program that allows the county to identify culvert/bridge projects in townships throughout the county that need work. The program gives the townships a 50/50 cost share. Winnebago County's 50% defers the cost of the project across the entire county because it the money comes from county taxes. The township's cost comes strictly out of the town taxes. It is Mr. Shubak's understanding that the town has their 50% of the funding, and the county will have their 50% of the funding because it comes out of the operating budget. So there is no state or federal funding.

Hamann doesn't see how the town has anything to lose by putting in for the funding. Drexler and Timm reiterated that the program is governed by state statutes. Mr. Shubak clarified that not every county participates in the program, but of those who do, it's governed by state statutes. Drexler stated that 38% of our taxes goes to Winnebago County, it doesn't hurt to get some back.

4. Discuss potential stormwater ordinance revisions.

Mr. Shubak explained the reason he brought up the potential revisions to the stormwater ordinance is because he understands the town is re-writing their land division ordinance. Mr. Shubak wanted to remind the board of one of the Strand's recommendations through this entire stormwater management process is to establish more stringent stormwater detention standards for new development. With the re-write in progress, these recommendations can easily be incorporated with just a few paragraphs. Currently the stormwater management and erosion control ordinance the town follows for all development is Winnebago County's ordinance. In terms of the town's stormwater and erosion control ordinances, it isn't necessary to re-write the town's ordinance; however, if there is a desire to create more stringent standards that go above and beyond the county's standard, it should be included in this re-write. Drexler commented that in 2014 the county is going to re-write their stormwater and erosion control ordinances and the Planning Commission hopes to be involved in that re-write process. Drexler did advise Mr. Shubak to get this information to the Planning Commission because they are going to meet again on February 13th. Mr. Shubak advised Drexler that he is planning on attending that meeting. Mr. Shubak stated that Winnebago County's ordinances are more stringent than the town's ordinance, but the town's ordinance was never removed from the books. Mr. Shubak recommends that a simple line be added to the re-write that references Winnebago County's stormwater and erosion control ordinances.

5. Discuss potential stormwater grant opportunities.

Mr. Shubak advised the board that Phase III is a project that could be funded by grants. In terms of schedule, if Phase III were able to get grant funding, the work won't be able to be done until 2014. Whether or not the town decides to pursue the grant is another discussion. Mr. Shubak handed out a fact sheet on the potential grants that are available. A copy of this sheet is attached to the record copy of the minutes. The idea is to look for a project the town has already identified and see if it has any potential for funding. The fact sheet names the DNR's Urban Non-Point Source Stormwater Grant, which primarily looks at projects that benefit water quality. The grant can be used for either planning or construction. The grant deadline is April 15th, 2013, so there is plenty of time to deliberate on whether or not to submit an application. The town will have to pass a resolution of support in favor of submitting for the grants. Submitting a grant application does not obligate the town in any way to do the project; meaning if the town decides not to do the project, it's not obligated to. Mr. Shubak identified

the Phase III - Honey Creek Clean Out from Oakwood Road Culvert West to the Sheldon Nature Area, and the Olde Apple Acres Detention Basin east of Olde Apple Acres subdivision as potential projects for the grants. Neither one of these projects is eligible directly, however there are elements of each project that do affect water quality, and for that reason, the projects may be considered for funding. Mr. Shubak's opinion is that both projects would stand a chance at getting the funding. The grant is a 50/50 cost share with 50% paid by the town and 50% paid by the state. With land acquisition, there is an extra \$50,000 which would work for the detention basin project. The program is that the land can be acquired before the grant is awarded. The time frame for the grant application is April 15th and the coverage for the project begins in 2014. Again for land acquisition, the work can begin this year and the property could be acquired yet this year with funding received in 2014. This grant has very rigid scoring system and a lot depends on the type of body of water the town drains to and if that body of water is impaired. The town drains to Lake Butte Des Morts and the lake is impaired, therefore it is Mr. Shubak's opinion that the grants are at least worth exploring. There is some work required to prepare the application and Strand typically charges about a \$1,000 per grant application. Strand typically charges this cost under a general charge number verses writing a task order to eliminate the need for a contract. ***Motion by Blake/Hamann to have Strand put together these grant applications.*** The resolution for support in favor of these grant applications will need to be passed by the board as well. Kierszh wanted to remind the board to think about how much money they are spending in 2014. Mr. Shubak advised that there are options for the town; the town could decide not to do the project or it could ask for a year extension. The grant program is also based on existing development; in other words the DNR will prorate the grant amount according to what is currently developed and, what isn't developed, there is the potential of recuperating that money from the developer once the land is developed. There are options. ***No further discussion. Motion carried in a voice vote, 5-0.***

6. Next Stormwater Workshop – Tuesday, February 19th, 2013 at 5:30 PM.

Clerk Nelson advised that there is a Primary Election scheduled for February 19th. Therefore this meeting will be re-scheduled. A doodle was sent out by Clerk Nelson today to re-schedule this meeting.

7. Adjourn.

Motion by Kierszh/Hamann to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 6:17 PM.

Respectfully submitted.

Charlotte Nelson, WCMC
Algoma Town Clerk
Town of Algoma, Winnebago County, Wisconsin