

YORKVILLE STORM WATER UTILITY COMMISSION

MEETING MINUTES

April 22, 2014

Chairman Steve Nelson called the meeting of the YSWUC to order at 6:05 p.m. Present were Chairman Nelson, Town Supervisor Sherry Gruhn, Tom Lauber, John Vyvyan, Neil Buchanan, Jason Christensen and Shawn Roberts.

Minutes from the March 31, 2014 meeting were amended as follows: Added the following to areas that still need to be worked on... "South of Braun Rd. (both sides of canal), a small area of tree climber work between Braun Road and RR tracks, all of the area north of RR tracks to 55th Drive about 3/4 of the area from 55th Dr. to Hwy C and some tree climbing work north of Hwy C on Mike DeGarmo property. In addition, some of the completed area there is clean up and wood removal yet to be finished. Received complaints from two land owners regarding the logs and a large root ball." These minutes were then approved on a motion by Tom Lauber, seconded by Neil Buchanan and carried.

Purpose of this meeting is to review progress on the East Branch canal. The Skewes property is 3/4 done. DeGarmo property on the South side of Hwy C has been reviewed with landowner and is OK to process. We have problems with the Plantamura, Baylen, and Lechner properties. It has always been our hope that we could get the buy in from all property owners to get this work done without any legal action, but that is not the case and it looks like these will need to have eminent domain/easement procedures started on them in order to finish these areas. Motion by Neil Buchanan, seconded by John Vyvyan to ask the Town Board for approval to start proceedings for eminent domain on these three properties. Motion carried.

There is some interpretation of the DNR permit. Disturbing soil can mean a couple differing opinions. The DNR will more than likely be visiting the project site this week and they may say we are disturbing soil to a point that would make us shut the project down for now. We will wait to see what happens. Shawn will continue to work as much as possible until we have to comply with the DNR wishes.

Chairman Nelson will contact Atty Pruitt and get his opinion on how to exactly proceed with the eminent domain process. Engineer Madsen and Christensen will be involved with this process as well. It is intended to have this done so that this fall/winter we can finish with these three properties.

No other business came before the meeting. The meeting was adjourned on a motion by Tom Lauber, seconded by John Vyvyan at 7:10 p.m. Motion carried.

Respectfully submitted,

Sherry Gruhn, Secretary