

**AGENDA**  
**REGULAR DRAINAGE MEETING**  
**JULY 10, 2019 AT 1:00 PM**

1. Open Meeting
2. Approve Agenda
3. Approve Minutes
  - June 19, 2019 Regular Drainage Meeting & DD 9 Public Hearing on Engineer's Report
  - June 24, 2019 Regular Drainage Meeting
  - June 26, 2019 Regular Drainage Meeting

Documents:

[6\\_24\\_2019 - DRAINAGE MINUTES.PDF](#)  
[DD 9 ENG REPORT HRG 6\\_19\\_2019 - MINUTES.PDF](#)  
[6\\_26\\_2019 - DRAINAGE MINUTES.PDF](#)

4. DD 143 - Discuss, With Possible Action, Responsible Utility Company
5. DD 128 & Big 4 - Discuss, With Possible Action, Signed Changed Order #4

Documents:

[DD 128 BIG FOUR CHANGE ORDER 4.PDF](#)

6. DD 102 - Discuss, With Possible Action, Wetlands Project

Documents:

[6762.6 - DD 102 - WETLAND PLAN REVIEW \(7-8-19\).PDF](#)

7. Other Business
8. Adjourn Meeting

# REGULAR DRAINAGE MEETING

6/24/2019 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Supervisors, Lance Granzow and BJ Hoffman; Landowner, Randy Madden; Contractor Adam Seward; Jeremy Maas with Gehrke Inc; Lee Gallentine and Heather Thomas with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Becca Junker.

2. Approve Agenda

Hoffman moved, Granzow seconded to approve the agenda as presented. All ayes. Motion carried.

3. Approve Minutes

Hoffman moved, Granzow seconded to approve the minutes of the June 12, 2019 regular drainage meeting. All ayes. Motion carried.

4. DD 148 - Canvass Election

Hoffman moved, Granzow seconded to approve the canvassing of the election for DD 148 as presented by the drainage clerk. Awarding James Bartling, Will Ibeling and Kenneth Smith as Trustees for DD 148. All ayes. Motion carried.

5. DD 22 - Discuss, With Possible Action, Work Order #176 Concerns

Granzow recapped with Maas that August 1 will be the soonest he will be able to get to the worksite pending weather and that right now the only thing he's working on for large repairs is a project in Iowa Falls. The only reason he is able to work the job in Iowa Falls is because he is tearing out concrete as he goes, and they are only digging five feet deep. Maas explained that he couldn't even work at the job in Iowa Falls last week though because of weather. Granzow then asked Madden if he had any comments and he said that there is basically no drainage and it has been nine days since it rained. Madden went on to express his concerns that there is still flooded land and standing water because the tile is essentially completely blocked. There are holes that are several years old that have not been taken care of. He said that as Trustees they must do something to give them drainage as it's costing him an additional \$25,000-\$30,000 in lost crop because there is no drainage. The contract date was awarded a year ago and they've shown no urgency. He said he knows it's a tough district but he's not so sure the work will ever be done if it's not frozen because there is ten-twelve foot depths to the tile and bad subsoil. For some reason it was thought this work can't be done when it's frozen and he doesn't understand that. Water flow, transportation of crushed rock and concrete tile can't be done in conditions like this. Thomas then spoke and said that following a landowners meeting it was requested by several landowners that the Trustees not allow winter construction. In addition, it is a legal record in this district as a result of the lawsuit that this be installed to miniscule specs which requires compaction which you cannot achieve with frozen ground. Madden explained he did not know who those landowners were or what their vested interest was, but he would assume it was landowners down at the bottom. He then said the other consideration is that the old main was severed and put into the new main so all the acres around there have no drainage except for the new main where the lower half is still using the old main and the old main is working. This leaves the top of the district to no access to the old main which means there is no drainage.

Granzow asked Thomas what can be done, and she explained that she is aware that the new line is crushed and there are sinkholes and that the tile is compromised. When the sinkholes were discussed CGA was given direction from the Trustees to not spot repair those and wait until the project came in and add it to the project. Granzow then asked if the two tiles could be connected, even if it was temporary. Thomas said she would have to investigate that but if it was disconnected at one time there is probably a way to get it re-connected. She continued to say that the area that is being talked about is at a junction structure that is above the project but if they want she can open a new work order or get an emergency repair. It was brought up that if the Trustees wanted a new work order or an emergency repair they needed to instruct CGA on who to reach out to because most contractors are too busy, and the ground is too wet to go out and do tile work.

Madden then mentioned that the fields have been planted so they were dry enough to plant which leaves the contractor with no excuse as to not being on the project at all this spring. He mentioned the spot repairs on the old main have been open for over a year and are very accessible. He explained that Randy Silvest has had to plant around sink holes for years now and there is no reason for that. Thomas explained that the sinkhole he is referring to was part of the sinkholes she mentioned before they were directed not to spot repair because it is part of the project.

Madden then asked why these repairs haven't been done yet. Granzow turned that question to Maas and said he was the best one to answer that question. Maas explained that he wasn't doing any repairs until they move in because they'll be using the same equipment whether they go in for a day or for 60 days. Madden then explained that Maas's statement proves that the contractor was awarded and was given a year to do the work under a failing system. He said he is now questioning if the work can ever be done without frozen ground. Thomas explained that the contract was written the way it was to allow the contractor to get in last fall and at the time that this project was bid, CGA knew all contractors were way behind schedule so if they would have speced a project that had to be completed by last fall there would have been a slim chance there would have even been a bid. She went on to explain that the last 12 months have been the wettest 12 months of record since they started keeping record in 1895.

Granzow asked what can be done to relieve pressure on the top side and how fast can it be done. Thomas said they can go in and look at records they have from when it was disconnected and if the Trustees have a contractor they want to work with CGA can get them all the information. She went on to say that it is going to be a wet muddy mess, so it will be hard to get a contractor out there to get it done but she will do her best if that's what the Trustees want. Hoffman said he is both empathetic and sympathetic to Maddens situation, but contractors aren't doing the simplest of work because of how wet it is.

Hoffman moved, Granzow seconded to instruct CGA to research and figure out how to revert to the old tile and report back to the Trustees as soon as possible. Then CGA is to search for contractors in county or out of county to do the work. Thomas is then to go out to the site and report the conditions to the contractor. Madden said he is willing to do the work in his field if that's what it takes but he wants to know what acceptable conditions are for this project to get started. Madden asked if anyone was buying into not doing any frozen work. Granzow said he remembers the meeting where multiple landowners requested frozen work not be done. Maas went on to talk about a job that was supposed to take 30 days but took 110 because of the weather. Granzow asked if Madden was asking for a change order for this to be a winter job and Madden said he thinks it should be. McClellan then asked when it was decided to not do it in the winter and it was said it was in one of the first or second landowners' meetings. Thomas then said CGA would need direction because legal record said she must follow specific guidelines and miniscule specs in the winter is going to be extremely difficult. McClellan then asked if that was in the legal records and Thomas said yes. McClellan asked how they could deviate from that and Thomas said that is why the specs are done the way they are because how can they come in and go against what the Trustees have per the law suit.

Hoffman then asked to vote on the motion. Granzow clarified that in the discussion Madden has said he can go out and do the work himself on his own land so CGA does not need to contact a contractor. It was then asked if CGA needs to be involved at all if Madden is doing the work, unless he is unable to do the work. Madden then asked if there was any way Gherke would do the spot repair behind Silvest's house before they come out to do the whole project. Maas explained that the bid was made to be efficient. There are around 15 spot repairs to be fixed, so in a perfect world you want to start at the farthest south one and work your way up and around. He said that he does not want to commit to going out and doing one spot repair. Madden said in the future he thinks it's a mistake to put spot repairs within a project.

Conversation then went back to winter work. Maas explained that he does not want to do any winter work for the best interest of his guys. Maas still wants to get in to do this project as soon as it fit for him to get in and do it. He said he will not do a road crossing in the winter. He explained that the way this project is, he needs to start at the bottom and work his way up. He explained if he has to do winter construction he will, but he really would prefer not to. Thomas said that if he did move to winter construction he would need to get that cleared with the Trustees and Hoffman said that it would need to be ran by Mike Richards.

Granzow asked if they could do a change order today to get the tile fixed on the old main in Madden's field. Madden explained that the lower and top half of the district are basically at war right now because the lower part depends on the old tile and the upper part depends on the new tile. The lower half has good drainage and now the top half is going to connect to the old drainage. He said if he were them he would not be happy about it. There was then conversation had about cross connections. Hoffman suggested that CGA report back with their findings so that they can come up with the best solution, Granzow said he would rather CGA decide and go forward investigating. McClellan asked that Thomas create a report and get it back to the Trustees as soon as possible so that they have the information. She does not want to overload the bottom and have more blowouts and problems on both. She explained that she does feel bad for Madden, but she doesn't want to make the problem worse for the rest of the district.

Madden explained again that as Trustees there is a duty to make sure that there is drainage within the district, especially when there's no start in site for this project. McClellan explained that this decision should be more in the hands of CGA as they have the education to make those decisions as far as what will not overload the old system. She's willing to do whatever they recommend. Thomas then explained that they already know the old tile was undersized, so anything that is added back to it will overload it, it's just a question of how much they're ok with overloading it. It was discussed that even a new tile at a half inch design standard, if you get an inch of rain you've technically overloaded it because it's only designed to handle a half inch. Granzow said once the new tile is put in it will turn around and should be flowing and shouldn't overload it. Thomas said that it will still be overloaded because it is not designed to handle every rainfall. Granzow said he wasn't talking about that part but once it's flowing it will take water as well where right now it's not taking any. This is a means to get some flow going, they don't want to overload it but if that ever does happen they can stop it. More discussion was had on where to put a cross connect.

McClellan said there was a motion on the floor. All ayes. Motion carried.

Granzow asked if change orders should be done for when Gehrke does start the project for cross connections. Thomas asked if they were going to allow all the old tile drain into the new tile? Granzow explained that the old tile will be a relief tile to the new tile. He explained he's not worried about flooding the tile, he's more concerned about flooding the ground and that shouldn't happen where the tile is deep. There will be a secondary exit plan for both tiles with this plan.

Junker asked if there needed to be a motion for CGA to investigate future cross connections or if the discussion within the meeting was enough. Granzow moved, Hoffman seconded for CGA to investigate cross connections at 200th St and report back to the Trustees. All ayes. Motion carried.

Thomas requested that if the Trustees are going to allow winter construction they authorize non-compaction spec because she does not think it's possible. McClellan asked if they needed to make that decision today or if they can discuss it later and Thomas said they could discuss this later.

Maas then said that he wants to stick with getting on site in August weather pending and do spot repairs first and then move onto the main project rather than going in and just doing one spot repair now. Madden said that if Gherke would come out and fix Silvest's blowout that he's had to plant around for years now it would show good faith. Thomas said that if that's what he wanted to do that it would be an independent temporary fix to put a shingle on it and then come back and do the permanent repair when Gherke gets on site. Maas said he would be open to doing that, but he cannot say when he will get there to do the temporary repair. He also expressed concern that if he goes in and fixes one blowout other landowners are going to be asking why he isn't fixing all of them. McClellan asked if the field is already planted why they would send Gherke in before the project when it was bid with the project? Especially when Gehrke is planning on being on site within the next month or two. Thomas said she does not feel it is fair for Gherke to go in and pull a portion of their repair tile to do it now, so if that was something people wanted to do she would recommend it being done as a temporary fix that will come back and get taken care of.

Madden said that Gherke is already asking for an extension so it's all part of the good faith effort, if he were a Trustee and they were refusing to do anything and still want an extension. Thomas went on to say that when she talked to Madden on the phone last week they were both in agreement that it was too wet to get out and do anything. It is not like Gherke is dragging their feet to come out and do something, it is just too wet. Madden said that the field was dry enough to be planted

and they didn't show, and he knows they have a lot of contracts. Maas stepped in and said that they could go back and forth all day long but there was no reason to argue. He explained they have only done tile repair for 14 days, the same 14 days that they were farming. He can't pull four excavators for 14 days of work when the project is much larger than 14 days. He said he does have numerous contracts, but he also runs 25 guys and this is a six man job. He clarified that he's not there to debate and he would have loved to be there May 1 because that was the plan all along, but it hasn't quit raining. He apologized and said he understands that this is going to be complicated, but he could go in and fight it and do 100 foot a day or he can wait until it's fit and do 400 foot a day. Madden said he just doesn't know what the definition of fit means. Maas replied and said it's when he can drive loaded rock trucks and pipe trucks. Madden said that isn't going to happen. Maas agreed and said he couldn't tell if Madden was in favor or against his thinking, but everyone knows that they can't drive on gravel after a half inch of rain. Madden mentioned that Maas was refusing to which Maas quickly replied and said he is not refusing. He would go there today if it were fit but it is not. Madden brought the spot repairs up again and said that when the Trustees are deciding on a contract extension to remember that they are holding the spot repairs hostage. McClellan said that being fit is different for farms to go in and plant and for contracts to go in and do work. Granzow said he understands what Madden is asking but he doesn't feel like they are holding these hostages. Thomas stepped in and explained that when a project is bid like it has been, right or wrong, when there are multiple spot repairs it would be a completely different price if it was bid for a contractor to come in and do single spot repairs. There is a big difference in cost.

Granzow then said that he feels Madden is looking for good faith from Gehrke by them showing up for one spot repair they would be showing good faith that they are trying to get this project started. Gherke said he can do what he can within reason and he does not need the extension until he is on site. McClellan then said she doesn't understand the need to go in and do one spot repair when it's been farmed around, it's not flooding, and the water is flowing. Granzow said there is no saving crop this year where the hole is, if it's not dry until November/December, then they should go in and do the repair, so it can be farmed next year.

6. DD 124 - Discuss, With Possible Action, Contractor Update

Seward informed the Trustees that it has been too wet to go and locate the tile. As soon as it is dry he will go out locate the tile and report back.

7. DD H-F 1 - Discuss, With Possible Action, Owner Approval

Junker updated the Trustees and contractor, Adam Seward, that the landowner has replied and said it is ok to move forward mowing in H-F 1 and then spray at a later date. Hoffman moved, Granzow seconded for Seward to mow and treat with herbicide as he deems appropriate. Seward then asked how many times the Trustees wanted him to mow and spray this area. His recommendation was to mow and spray twice this first year and then once a year there out. The Trustees agreed to his recommendation and will follow up in a year to see how to proceed. All ayes. Motion carried.

8. Discuss, With Possible Action, IRUA

Granzow agreed that the red areas of the list submitted by CGA were all areas that IRUA needed to correct, green areas are fine and some of the yellow should be discussed. Gallentine explained that all the highlighted red is highly important, green are areas that have been waived in the past and yellow are items that CGA is required to do when they are on a project which means the district is required to pay them for the work.

Gallentine went on to say his main purpose is to protect the integrity of the tile so at the minimum the tile needs to be exposed at crossings, verify clearance and if any tile is repaired, it is done correctly. He also went on to remind the trustees that it has been in state code forever that utilities need to get an easement from the drainage district.

Under "General Review Comments" the following discussion was had. Items 1 and 2 were dismissed to be a yellow comment.

Items 4 and 5 whether there is a 2017 or 2018 permit, clearance needs to be verified. All depths and clearance need to be verified and the results need to be given to the drainage district.

Under "Specific Review Comments" the following discussion was had. Item 1, DD 56: When IRUA did hit the DD 56 main it had about a foot of soil and rock in it. Gallentine explained he didn't know if that washed in from the hit or if it was already in there. He does not believe this ever got pulled out. Granzow explained that if there becomes a problem in the near future IRUA is responsible.

Item 3, DD 56 Lat 22: IRUA didn't even show this on their plans which is concerning considering they hit the main of DD 56, which isn't that far away, and damaged it. There is no clear indication to whether IRUA hit this lateral or cleared it.

Item 4, DD 14: IRUA fixed and the crossing is now shown but it indicated that the tile was "Damaged repaired with PVC". This type of repair is not allowed without a variance. Gallentine explained that he has no idea what kind of repair they did because CGA was not on site or aware of the repair until they turned in their reports. Granzow said that this PVC needs to be dug up and done correctly to district standards. He went on to say he does not believe that it is plugged but there is a reason the district has their tile policy the way they do so that this doesn't happen.

Item 5, DD 11: Gallentine explained that in Buckeye, IRUA said they could tell that the tile is nine foot deep. Gallentine couldn't find a single intake out there that showed a nine foot depth. Everything is in the three-six foot range, there may be some tile at nine foot but that's at roads. Buckeye is draining as Granzow mentioned previously, however they have only had one large rainfall. Gallentine explained that maybe everything is fine but since IRUA did not dig anything up in Buckeye because they assumed it was all nine foot there is no telling if they broke tile. Granzow went on to explain that he knows of private tile that IRUA went through that they ignored and will not fix. Gallentine explained that DD 11 has spent a lot of money as a district in the last nine years, if there was damage done to the tile the landowners of DD 11 are going to be furious. Granzow said he didn't know how IRUA could correct this without digging up the entire town of Buckeye. Gallentine said since the drainage district tile has been televised or located and there are survey coordinates, so if IRUA located their utility and reported the depths CGA could go out and verify if tile was crossed.

Granzow moved, McClellan seconded to have IRUA investigate/fix the following line items:

General Review Comments: 4. The clearance between the waterline and the district tile needs to be specifically stated at each crossing. 5. The clearance between the waterline and the flowline of the district open ditch needs to be specifically stated at each crossing.

Specific Review Comments: 3. District 56 (permit 2017-1 and 2018-2) drawing (9-87-22) appears to cross Lateral 22, but said crossing it is not shown. This is especially concerning since the Main tile of DD 56 was damaged during waterline construction. This tile needs located, and clearance verified. 4. District 14 (permit 2017-1) drawing (34-88-22) crossing is now shown but it indicated that tile was "DAMAGED REPAIRED WITH PVC". This type of repair is not allowed without a variance. The PVC needs to be dug up and repaired correctly to drainage district standards. Per the permits this needs to be concrete. This work can be done by the drainage district and the bill can be sent to IRUA or IRUA can do it correctly at their own expense. 5. Following district tiles identified as not found. a. DD 11 Lat B (permit 2017-1 and 2018-6) at intersection of Co Hwy S27 and Prairie Ave c. DD 11 Main (permit 2017-1 and 2018-6) at driveway for house at 402 Prairie Ave d. DD 11 Main and Laterals (permit 2017-1 and 2018-6) in Town of Buckeye. IRUA needs to located their waterline with the depth so that can be compared to CGA's survey shots.

Granzow explained that he is not asking for much considering the list. In good faith they are willing to do this if IRUA will comply by their permits. Once the above comments are complete IRUA needs to contact Junker so that she can update the Trustees and forward the information onto CGA to verify. Junker then informed the trustees that in IRUA's email it was said the Trustees may proceed with cashing the \$3,549.95 check it is currently holding and remit the balance to CGA as payment for the work invoiced to date. Gallentine recommended talking to the attorney before cashing the check. Granzow moved, McClellan seconded to have Junker reach out to Mike Richards to discuss cashing the check. Granzow instructed Junker to email IRUA with the updates that were made in today's meeting. All ayes. Motion carried.

9. DD 102 - Schedule Wetlands Presentation

Granzow moved, McClellan seconded for Junker to discuss what date and time works for Mike Bourland and schedule his presentation at that time and let the Trustees know. All ayes. Motion carried.

10. Other Business

**DD 9:** Gallentine asked for clarification from the Trustees on if he is to be reclassifying just the main tile or the main tile and the laterals. Granzow said his understanding was that CGA was reclassifying the Main and Laterals.

**Utility Permits:** Gallentine made comments regarding the way utility permits are handled. He said in the future he thinks the utility companies need to pay \$2000-\$3000 up front for the permit, easement and then use that money to have either CGA or a contractor go out and dig up and locate the tile for the utility company. Once the tile is dug up and located for the utility company they are then told the clearance that is required and they can begin their work. Granzow explained that the amount of money suggested wouldn't even cover the costs. Gallentine explained that his problem is that few utility companies actually know how to find tile because they're all either boaring or trenching contractors so they're not used to digging to look for signs of tile. Granzow said he thinks as part of the process the district should locate the tile at the expense of the district. This diminished the argument of the utility company not knowing where the tile is.

11. Adjourn Meeting

Granzow moved, McClellan seconded to adjourn the meeting. All ayes. Motion carried.

# Regular Drainage Meeting & DD 9 Public Hearing on Engineer's Report

6/19/2019 - Minutes

## 1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Board of Supervisors, Lance Granzow and BJ Hoffman; Landowners, Roger Wood, Loraine Clark, Byron Clark, Kevin Johnson, George Ioerger, Westhenry Ioerger, and Tom and Sheryl Roberts; Lee Gallentine and Zeb Stanbrough with Clapsaddle-Garber Associates (CGA); Jeremy Maas with Gehrke Inc; Drainage Clerk Becca Junker; Former Drainage Clerk Tina Schlemme.

## 2. Approve Agenda

Granzow moved, Hoffman seconded to approve the agenda as presented. All ayes. Motion carried.

## 3. Introductions/Attendance

Introductions were made and attendance verified.

## 4. Open Public Hearing

McClellan opened the hearing.

### 4.I. Verify Publication

Junker verified the notice of publication as being published in the Times Citizen on Wednesday, May 29, 2019.

### 4.II. Explanation Of Project

Gallentine explained the project as presented in the engineer's report dated April 30, 2019 and the supplement to engineer's report dated June 3, 2019. This project began with a work order request from October 26, 2018. During the investigation CGA found another sinkhole in or near the railroad right of way. From this sinkhole, the tile couldn't be located upstream due to the main tile being 1/2 full of debris. Downstream, the tile could not be located due to tree growth inside the railroad right of way. Out of 15 repairs since the district originated, 3 of those have been in or near the railroad right of way. Without repairs or improvement to the main tile, the land upstream of the railroad track will not properly drain due to its plugged or restricted state.

Gallentine then explained the three options he had come up with to repair or improve the main tile.

1.) Repair Method- This is the most straight forward way to repair the tile. Upstream in the railroad right of way he would recommend installing a new main tile at the location dictated by railroad standards and abandon the existing main tile at its current location. Further downstream it would be recommended to jet clean the existing main tile, CCTV inspect the existing main tile to verify its condition and remove the trees inside the railroad right of way. These plans are included on Appendix A of the main tile engineer's report. This method would cost the district roughly \$195,600.00.

2.) Improvement Method One- This option is the most straightforward way of improving the main tile. In this option the existing main tile upstream of the railroad crossing would be severed and downstream would be plugged on the northwest side of the railroad right of way, abandoning existing main tile at the upstream crossing. Then it would be suggested to install a new main tile from the location of severing southwest parallel with the railroad right of way to the downstream side of the downstream railroad crossing and connect the new main tile with the existing main tile at this location. Further downstream the same recommendations would be made as the repair method. This method would cost the district roughly \$154,200.00.

3.) Improvement Method Two- This option was an additional option that was submitted as a supplement to the engineer's report. It would be recommended to sever the existing main tile upstream of the railroad crossing and plug the downstream end on the NW side of the railroad right of way. Abandon existing main tile at said upstream railroad crossing under the tracks. From there a new separate main tile from the location of severing W and SW to a new separate outlet in the existing water course. For the portion of the main tile in the railroad right of way downstream the same recommendation as in the last two reports remains. This map is included in the supplement engineer's report as Appendix H. This method would cost the district roughly \$187,800.00 with an added attorney expense of roughly \$10,000.00.

#### 4.III. Written Or Verbal Comments/Discussion

George loerger asked about doing some investigating and work on Lateral 1 because right now the intake is barely moving water. He mentioned installing a new tile parallel on both sides of the railroad but outside of their right of way going to the intake, this would eliminate having to work with the railroad completely. Granzow then suggested ending the lateral tiles and making this new tile private tile installed by the landowners. Gallentine said that by installing private tile it will give them more options on how to install and cut prices because it won't have to be installed to districts code. Byron Clark then informed everyone that years ago there was private tile that was installed but he was not sure where that tile all goes. Westhenry loerger asked the Trustees if there could be an investigation done on the tile to get a clear picture of where the tile goes.

The current classification was discussed as being the original classification. Granzow reminded Gallentine that the reclassification had already been approved by the Trustee's at a previous meeting.

Hoffman read a written comment that was submitted by Kevin Johnson objecting the tile reroute choice of the engineer's report. Stating that the he feels rerouting through the Sailer land (improvement method two) would be more effective on maximum water flow to the existing open ditch.

#### 4.IV. Close Public Hearing

Granzow moved, Hoffman seconded to close the hearing. All ayes. Motion carried.

#### 4.V. Possible Action

Hoffman moved, Granzow seconded to adopt the Engineer's Report along with the Supplemental report as presented by CGA. All ayes. Motion carried.

Hoffman moved, Granzow seconded to direct CGA to investigate the tile on Lateral 1 to determine what tile if any is in place and report back to the Trustee's and then communicate the results to the landowners. All ayes. Motion carried.

Hoffman moved, Granzow seconded to have Junker send a courtesy letter by certified mail to Ronald Sailer explaining the project and the possibility of annexation and construction on his property. All ayes. Motion carried.

Hoffman moved, Granzow seconded to direct CGA to prepare plans and specifications for Improvement Method Two which is included in the engineer's supplement report on repairs to the main tile in DD 9. Hoffman explained he feels there has been enough production acres taken out this year so it is important to move forward. All ayes. Motion carried.

Hoffman moved, Granzow seconded to enlist the reclassification committee including Denny Friest, Chuck Walters and Lee Gallentine to start the reclassification process for DD 9 and the new district. All ayes. Motion carried.

#### 5. DD 55-3 - Discuss, With Possible Action, Railroad Approval Letter

Gallentine informed the trustees that the railroad approved the work to be done in the railroad right of way, but with the same terms and conditions that they give for replacing a tile. This means the district will have to pay for railroad flaggers, monitors and insurance with the \$1000 permit fee. The terms they gave for this tree removal is no different than if the district was replacing a crossing. Gallentine said that they can do it but it will not be cheap. McClellan asked for clarification on what this project consists of, Gallentine said that all they are wanting to do is remove a few trees and jet clean the tile.

Schlemme mentioned that per Iowa Code since the project is under the threshold, the district does not have to tell the landowners what is being done. The only reason she made contact with the railroad was out of courtesy but they are a landowner just like all the others within this district. Gallentine reminded Schlemme that the contractor was the reason that she has reached out to the railroad, he did not want to do the work unless he had the approval. The Trustees then asked if there was anyone else who would do this project and Gallentine said he would contact Accujet.

Hoffman moved, Granzow seconded to instruct CGA to hire Accujet to clean the identified problem area. Gallentine will inform the current contractor. All ayes. Motion carried.

6. Discuss, With Possible Action, IRUA Update  
Table until Monday, June 24, 2019 at 9:00 AM.

7. DD 22 - Discuss, With Possible Action, Work Order #176 Concerns

Granzow showed Maas text messages he received following the storm on Saturday, June 15, 2019 from a landowner. Granzow explained that landowners are concerned that Maas is trying to push for the extension while doing other jobs, Granzow clarified that he doesn't think that is the case but with landowners concerned he needed to bring it to Maas's attention. Granzow said a landowner is also concerned that the new tile is not working and is flooding into the old tile, but the old tile is hardly moving water. Granzow asked what can be done for the landowners to get a crop, because they are frustrated with today's market. It was brought to Granzow's attention that the area he is talking about got possibly four inches of rain over the weekend. Even with a brand new system to a half inch drainage coefficient, it's going to take eight days to drain out after that amount of rainfall. Granzow continued to read the text message that he received stating that the landowner is concerned about a disconnect of communication between the engineer, trustees and contractor.

The many blowouts were brought up and Maas said he was under the impression that the blowouts were added into the work order, but he was to do that while on site for the main repair. Maas went on to say that right now you can hardly walk out in the fields because of how wet it is, let alone bring big equipment out. He explained that he had full intentions on being on this project late last fall but since he couldn't get caught up on his projects he was already doing he wasn't able to. In late September he started a job in Humboldt that was supposed to be a 35 day job, due to the weather they didn't finish until January 11 and it took 110 days. He continued by saying that this spring they haven't gotten any work done. These last ten days are the first two weeks that any of his employees have worked over 50 hours in one week since January 1 and that's because of rain days. This week he has had to lay guys off because the only job site that is dry is in Iowa Falls and the only reason that it's dry is because they're removing pavement as they go and they're only digging five feet deep. He said there is no way he can get rock trucks or the concrete pipe into the field because he can't even drive a four wheeler in one right now.

When this project was bid, it was bid at laying 300 feet of pipe a day. Right now, and even in the next three weeks Maas said there is no way he will be able to lay that much because of the water flow. He continued to say that there are a lot of variables than just laying the pipe. He's not scared to pump water, but he does not have enough money or man power to work with the amount of water they are dealing with out in the field at this time. He is not waiting for it to be dry because this isn't a perfect world and he knows that's not feasible. He's just wanting to let the water go down to maybe 6 inches deep instead of 20 inches deep. He went on to say that for most farmers, after four days following a rain they are able to go out and spray/plant in their field but that is not the case for him and his crew.

His final comment was that this is a very important job for everyone involved due to the circumstance of this project. He hopes the weather straightens out, so he can go out and be productive because this is a high profile job. He said he has every microscope on every one of his guys and his tile connections might take four times longer than a normal one due to the circumstances. He cannot afford to risk it to go out and bury three rock trucks and his 120,000 pound excavator just so it looks like he's putting in effort. He will be out on site with two crews and himself personally as soon as the weather permits for them to be there.

The trustees decided that they wanted to revisit this next week with Heather Thomas from CGA in attendance. Maas said that he will plan on coming to next week's meeting and will be able to answer any landowner questions during that meeting.

8. DD 22 - Discuss, With Possible Action, Repair Summary For Work Order #198  
This work order has been completed at no expense to the district. No action required.

9. DD 38 Lat 4- Discuss, With Possible Action, Repair Summary For Work Order #231  
Gallentine presented the repair summary, and if there is poor drainage in the future CGA can do more investigation. In the fall it was determined that the landowner can go out and dig to find out if it is drainage district tile. No action required.

10. DD 64 - Discuss, With Possible Action, Utility Crossing Summary For 2018-5  
Gallentine presented that the closest Midland got to any of the tile was 35 feet. No action required.

11. DD 78 - Discuss, With Possible Action, Investigation Summary For Work Order #246

Gallentine explained the investigation summary and recommended putting this on hold until fall.

Hoffman moved, Granzow seconded to put this project on hold until fall. All ayes. Motion carried.

12. DD 86 - Discuss, With Possible Action, Investigation Summary For Work Order #252

Gallentine explained the investigation summary, saying his guys walked the lake up to the North to figure out what trees were all out along the tile. CGA surveyed all trees within 50 feet of the drainage tile and found over 200 trees that are impacting the drainage. The estimates cost to remove the trees is between \$25,000-\$40,000 which is low enough that a hearing would not be required. Some of the trees are in the railroad right of way which would be a good indicator as to why they have not been removed. Once the trees are removed it will be easier to figure out what is all wrong with the tile and what the next steps to fixing the tile will be.

Junker informed the trustees that in the notes, it was said that once CGA comes back with their findings on this work order there would be a landowners meeting held.

Hoffman moved, Granzow seconded to conduct a landowner's meeting for DD 86 on July 17 at 11:00 AM. All ayes. Motion carried.

13. DD 143 - Discuss, With Possible Action, Investigation Summary For Work Order #167

Gallentine explained that at the Landowner Meeting on DD 143, Calvin Hyland expressed concern about the hole N of 175 that had not been fixed yet. At the time Gallentine thought that this hole had been fixed but after going on site and investigating he found a 6X10 foot hole in the road ditch. Where the tile is there is an exposed telecommunication line running through the hole so CGA's opinion is that the utility line is what caused the hole. From the hole there is also an intake that is most likely DOT's and that is also collapsed. Since CGA's opinion is that the utility line is what caused the hole, the next step is deciding if the district is going to repair that or if more investigating needs done to have the utility pay for the repair. Gallentine reminded the Trustees that per Iowa Code any utility company is required to get an easement from the district trustee's before installing the utility line and that has been in the code for years.

Hoffman moved, Granzow seconded in instructing CGA to attempt to determine what utility is located in the problem area and report back to the Trustees. Once the utility is determined CGA is to inform Junker so that she can request they come before the board. All ayes. Motion moved.

14. DD 167 - Approve Work Order #260

Junker presented the email along with the pictures that she received from David Bernard requesting a work order on the main that is in Donna Bernard's property. Junker informed the Trustees that further East on this main there is an open work order, but these sinkholes are to the West of that work order. Gallentine updated the Trustees that McDowell was awarded the bid to spot repair following a hearing with the landowners. When McDowell went to work on this earlier this year, Neil Martin, the tenant, said that the land was too wet and that he would reach out once it was dry. When the land finally dried up and Martin called McDowell to come out they were already started with other projects so now it's just a matter of when they have time to come out and do the spot repairs.

Hoffman moved, Granzow seconded to have CGA put this work order in the lottery and get it repaired when mother nature cooperates. All ayes. Motion carried.

15. Other Business

None.

15.I. DD 148 - Canvass Election

Set canvass for 9:00 AM on June 24, 2019.

15.II. June 24, 2019 Meeting

No meeting unless something comes up.

16. Adjourn Meeting

Hoffman moved, Granzow seconded to adjourn the meeting. All ayes. Motion carried.

# REGULAR DRAINAGE MEETING

6/26/2019 - Minutes

## 1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Supervisors, Lance Granzow and BJ Hoffman; Landowners Steve Perry and Brent Perry; Michael Bourland and Casey Judge with Iowa Department of Agriculture & Land Stewardship; Drainage Clerk, Becca Junker.

## 2. Approve Agenda

Hoffman moved, Granzow seconded to approve the agenda as presented. All ayes. Motion carried.

## 3. DD 102 - Discuss, With Possible Action, Wetlands Project

Michael Bourland explained that the Department of Agriculture and Land Stewardship help administer the conservation reserve enhancement program and the whole purpose of the program is to reduce nutrients, primarily nitrate in heavy tiled farm ground. A wetland will act as a filter to reduce the nitrate and then the wetland will release this filtered water back into the environment. Steve had approached Bourland about two years ago to see if he would consider building a wetland instead of fixing the tiling system. The Department of Agriculture then hired an engineering firm (WHKS) to come up with a design. Iowa State then came forward with the idea of tile zoned wetlands. This is used when there is already an existing depression, they reroute the tile into the depression to save money. He went on to say that he is now at the point where he needs to start getting approvals to move forward with this project. He is planning on getting this project bid in January or February and then getting it constructed next summer. Creating the wetlands will be an easement, which means the land will not be able to be cropped again. The easement will stay with the property. This is a 15-year contract, following the 15 years there will be no more payments, but it is a permanent easement. The way the easement is written, the Perry are agreeing to maintain for 30 years. After 30 years the easement is silent because there is no telling what the future will bring. He explained that as an agency, they will put everything together, but the easement is between the landowner and soil and water conservation commission of Hardin County and will be filed at the courthouse.

Bourland went on to say that there has been a price agreed upon per acre that will come out of the CRP payment and a onetime payment from the state. He explained that essentially, they are buying the rights to his property that Perry will still own. Granzow clarified that Perry would still be paying taxes on the property. Bourland asked Granzow if there was a slough bill in Hardin county and he did not know. Bourland explained that a slough bill lets landowners whose ground is wetlands pay taxes at a reduced rate. Hoffman said the slough bill would be something that should be investigated.

Bourland then covered the specs that were created by WHKS.

The Trustees recommended all landowners get their wetlands determined, Bourland said he would reach out to Nichole Williams to see what her thoughts were. He also said he would ask her whether this would be considered an improvement or a repair. It was also requested that Bourland sent all the televised footage to Lee Gallentine with CGA. When asked what type of tile that would be installed it was suggested that Bourland discusses with Gallentine on what he would recommend although Granzow said he would prefer concrete. Bourland said he would have assumed that concrete would be the preferred tile.

Hoffman moved, Granzow seconded to acknowledge CREP Wetland Project HAR862018C for Hardin County, and instruct Lee Gallentine with CGA to review the plans as presented by WHKS. All ayes. Motion carried.

Junker was instructed to stay in contact with Gallentine on when he will be able to discuss this project with the Trustees. Once he has looked the project over and gotten his questions answered by Bourland the Trustees would like him to be put on the agenda. Following that meeting Junker will coordinate a landowner meeting with Bourland and Gallentine and the Trustees.

## 4. Other Business

None.

## 5. Adjourn Meeting

Granzow moved, Hoffman seconded to adjourn the meeting. All ayes. Motion carried.



# Change Order

## No. 4

Date of Issuance: May 30, 2019                      Effective Date: May 30, 2019

Project: Drainage District Repairs	Owner: Drainage District Trustees	Owner's Contract No.:
Contract:		Date of Contract: May 2, 2018
Contractor: Hands On Excavating		Engineer's Project No.:6771.2

**The Contract Documents are modified as follows upon execution of this Change Order:**

**Description:** For the DD 128 portion of this project, the landowner has requested that earthwork be delayed until after harvest. For the Big 4 portion of this project, recent weather has elevated the water level in the open ditch which has prevented project completion.

**Attachments (list documents supporting change):**

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:	Original Contract Times: <input checked="" type="checkbox"/> Calendar days
\$149,516.85	Substantial completion (date): 11-30-2018
Increase from previously approved Change Order No. <u>1</u> to No. <u>3</u> :	Increase from previously approved Change Order No. <u>1</u> to No. <u>3</u> :
\$ 30,911.50	Substantial completion (date): 5-1-2019
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
\$180,428.35	Substantial completion (date): 5-1-2019
Increase of this Change Order:	Increase of this Change Order:
\$ 0.00	DD 128 & Big 4 Substantial completion (date): 12-1-2019 Remainder Substantial completion (date): 6-1-2019
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
\$180,428.35	DD 128 & Big 4 Substantial completion (date): 12-1-2019 Remainder Substantial completion (date): 6-1-2019

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By:	By: _____	By:
Engineer (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Date: <u>6-27-19</u>	Date: _____	Date: <u>6-27-19</u>
Approved by Funding Agency (if applicable):		Date: _____

**Issues recommend resolving prior to construction:**

1. Who owns the proposed wetland (i.e. is it a district facility) after it is constructed?
2. Who is responsible to complete maintenance activities of the proposed wetland?
3. Who is responsible to pay for maintenance activities of the proposed wetland?
4. Is this project considered an improvement by NRCS and if so, is it deemed to have an impact on upstream jurisdictional wetlands?

**Design question for District Trustees:**

If this was a drainage district project, the materials that the District Trustees have historically used are similar to “municipal” specifications (i.e. for 12” tile and larger sizes RCP with rock bedding up to springline or Polypropylene with rock bedding to 1’ above top of pipe and for smaller sizes Polyethylene with rock bedding to 1’ above top of pipe). Is this going to be required of this project or will an “ag” specification be allowed?

**Design questions for IDALS:**

- A. Two of the proposed district tile replacements (i.e. Main tile upstream of wetland and Lateral 13 tile) have portions laid at 0% slope. I would recommend that all proposed tile have at least minimal slope to allow for flushing of soil, silt, and debris from tile.
- B. The proposed Lateral 13 tile outlet has a flowline elevation of 1047.95. This is below the normal pool elevation of 1048.00. Based on this, water will continually be in the proposed tile, causing deposition of soil, silt, and debris. I would recommend that the flowline of all proposed tile outlet be at the same elevation as the top of the overflow waterway.
- C. At the proposed Lateral 7 junction structure, the Lateral 7 overflow tile flowline is 0.45' higher than the proposed Lateral 7 tile flowline entering this structure. Therefore, if the Lateral 7 diversion tile is plugged or full, Lateral 7 will not flow freely unless it is surcharged. I would recommend making the flowlines of the Lateral 7 overflow and the Lateral 7 tile entering the structure the same elevation as each other.
- D. Most of the proposed tile outlets have flowline elevations below the elevation top of the overflow waterway of 1048.50 (i.e. Main tile upstream of wetland outlet is 0.25' lower, Lateral 13 tile outlet is 0.55' lower, and Lateral 7 tile outlet is 0.50' lower). If the proposed Main tile downstream of the proposed wetland cannot keep up with the water flow into the wetland and the wetland discharges through overflow waterway, water will back up into the proposed district tiles. I would recommend that the flowline of all proposed tile outlets are at the same elevation as the top of the overflow waterway.
- E. It appears that the drainage capacity of several of the proposed district tiles may be less than that of the existing district tiles. Are capacity calculations available for the proposed and existing conditions? The locations of concern are:
  - a. Main tile downstream of the proposed wetland (proposed tile is either 30" @ 0.10% or 18" @ 0.67% and existing tiles are 28" @ 0.18% and 8" @ unknown slope).
  - b. Main tile upstream of the proposed wetland (proposed tile is either 8" @ 0.00%, 8" @ 0.12%, or 8" @ 0.20% and existing tile is 6" @ 1.6% or 8" @ 0.4%).
  - c. Lateral 13 tile (proposed tile is 8" @ 0.00% and existing tile is 8" @ 0.4%).
  - d. Lateral 7 tile (proposed system consists of multiple tiles and existing tile is 18" @ 0.5% or 16" @ 1.4%).
  - e. Lateral 8 tile (proposed tile is 8" @ 0.50% and existing tile is 10" @ 0.8% or 10" @ 2.0%).