

**PUBLIC HEARING ON RECLASSIFICATION COMMISSION REPORT  
FOR MAIN OF DRAINAGE DISTRICT 72, HARDIN COUNTY**

3/7/2018 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairman, BJ Hoffman, opened the meeting. Also present were Hardin County Supervisors, Lance Granzow and Renee McClellan; Landowners, Maurice Ruddick, Jean Granger, Wayne Wilson, Orren Wilson, Brent Perry, Steve Perry and George Cummins; Matt DeSchamp with M & D Construction and his attorney, Mike Marquess; Lee Gallentine with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Tina Schlemme.

2. Approve Agenda

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

3. Introductions/Attendance

Introductions were made and attendance verified.

4. Discuss, With Possible Action, Change Order Request

Gallentine distributed facts pertaining to a change order request that had been submitted by DeSchamp.

1. Contractor bid a price of \$52 per foot for 24" pipe with rock bedding below pipe and rock backfill on sides of pipe for width of the trench.

2. The bid documents required the contractor to determine anything that would affect cost, progress, performance, means, methods and procedures of construction; visit the site; and that by submitting a bid, no further examinations, investigations, explorations, or tests were needed.

3. The soil type shown on the Hardin County GIS site and USDA soil surveys (on-line and paper) indicate that 5 out of 16 soil types making up 1/2 of the area east of the gravel road have sand within 80" of the ground surface.

4. After the contractor encountered sand, he requested an additional \$25 per foot due to additional rock beside the pipe in a wider trench, slower work rate and 2" to 3" of rock over the pipe.

5. Gallentine requested rock tickets, production rates or other pertinent information to verify the claim for additional payment, but the contractor never submitted this information.

6. Instead of stopping for an evaluation of the change order as required by the project documents, the contractor continued to work and eventually ran out of sand (1,000 feet total).

7. Contractor is still requesting the additional \$25 per foot.

DeSchamp explained that they have a plan moving forward if they encounter sand again, but would like to reach a deal with landowners for the extra materials used. It was calculated that the approximate amount requested is \$25,000. DeSchamp stated he would take \$10,000. The Trustees asked for a show of hands from landowners willing to pay the additional \$10,000 and all but one raised their hand. It was discussed that Gallentine will produce the change order and then obtain signatures for a formal approval.

DeSchamp stated he had asked for solid lids versus grated lids on intakes. The landowners stated they would like to bury them so they do not impact farming. DeSchamp believed this would reduce the cost. It was discussed that two have already been installed, so this method will be used for the remaining three.

Landowners stated they would like the lower 200' of the existing tile to be televised that was not a part of the original plan. The Trustees agreed this should be done when the televising crew comes back out to televise the remainder of the project area west of the road.

5. Open Public Hearing

Hoffman opened the public hearing.

6. Verify Publication

The notice of publication was verified as being published in the Eldora Herald Index on February 13, 2018.

7. Explanation Of Reclassification

The hearing was turned over to Gallentine who explained the reclassification process and methods used. He further explained that the majority of parcels used the methods discussed, but the roadways used an average combined factor due to their irregular shape. Another exception explained was for tract numbers 25, 26, 27, 36, 37, 38 and 39 in which private tile was installed to direct drainage outside of district boundaries. The commissioners agreed that this was the landowners choice, therefore classified them the same as all other tracts.

8. Written Or Verbal Comments/Discussion

Landowners voiced concerns regarding the tile at the east end of the district being affected by the increased water capacity at the west end. It was discussed that a restrictor may need to be installed to help reduce that flow, but will be reviewed again if/when the time is needed.

Landowners requested a 20 year waiver payment plan because this is a larger project. The Trustees agreed that they will do 20 years when the district is assessed.

9. Close Public Hearing

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

10. Possible Action

McClellan moved, Granzow seconded to approve the ReClassification Commission Report for all current and future repairs and improvements to the Main. All ayes. Motion carried.

11. Other Business

DD 102 - Steve Perry explained that his wetland program project continues to move forward. The engineer's process will start within a month and they should have a larger picture by summer.

12. Adjourn Meeting

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