

REGULAR DRAINAGE MEETING
Wednesday, September 16, 2020 9:30 AM
This meeting was held electronically and in-person due to Covid-19 concerns.

9/16/2020 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson Lance Granzow opened the meeting. Also in attendance were Trustee BJ Hoffman; Trustee Renee McClellan; Lee Gallentine of Clapsaddle-Garber Associates; Michael Pearce, Network Specialist; and Denise Smith, Drainage Clerk.

2. Approve Agenda

Motion by Hoffman to approve the agenda. Second by Granzow. All ayes. Motion carried.

3. Approve Minutes

Motion by Hoffman to approve the minutes of Drainage District 22 Completion Hearing dated 09-09-2020, Regular Drainage Meeting dated 09-09-2020 and DD 121 Landowner Meeting dated 09-02-20. Second by Granzow. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by Hoffman to approve the claims for payment with pay date of Friday, September 18, 2020. Second by Granzow. All ayes. Motion carried.

5. Other Business

DD 9 WO 229 - Gallentine provided an update on the project near Tom Roberts land, where we are going to divert back to the west instead of going through the railroad, that contractor Gehrke expects to begin work on this project in the next couple weeks.

DD 22 Completion update- Smith stated that she has provided contact information for Jessica Sheridan to Heather Thomas of CGA, Thomas will provide GPS location points and new tile route information to Sheridan to get that information updated in GIS maps and Beacon maps. If that is something that we can't get done on a County level, Smith will bring it back to the Trustees for review and see if it is something we need to contract out.

DD 25 WO 209 - Smith received a phone call from landowner David Fincham who will drop off a review provided to him by his insurer of crop damage on his farm. Fincham did file a crop damage claim earlier this year that was for the 2019 crop year which was paid out on 3 acres of damaged beans, and Gallentine stated this may be for 2020 damages, and if he was hit by the derecho his yield may not accurately reflect what is there. Smith will add this to next week's agenda when she receives papers from Fincham.

Open Ditch Maps - Smith received an invoice from CGA for referencing open ditch maps for \$35.50, and asked if it was to be paid out of rural services as were the previous invoices for this, as the maps covered multiple districts. Granzow stated he was fine with that.

Drainage Utility Permit Process - Smith stated she had received a reply from drainage attorney Mike Richards late yesterday regarding his review of the Drainage Utility Permit Application. Smith shared this email with the Trustees and can add this to next week's agenda for Discuss with Possible Action. Smith gave a brief overview of Richards review included some grammatical updates and answered a few questions the Trustees had posed regarding an application fee/bond, the use of one single permit to include all utilities and wind turbines, and if we can request the utilities to open a crossing back up for locates and review of installation if the utilities did not comply with current language regarding 24 hour notice of construction, tile locates/observation. Richards questioned why we have a Section I and Section II in our Application, and Smith stated that we have trouble getting utilities to comply with one document, if we split that between regular utilities and wind turbines, it muddies the water and for simplicity we kept it to one document. Richards reply stated that one application for all utilities is sufficient, Richards saw no harm in adding the same language other counties use for an application fee, which we discussed as a \$1,000 fee, including the return of the fees if they are not used. If the utility has not complied with the 24 hour notice and tile locate/observation, that we can require them to open the location back up, and if they will not open the location back up can we open it for review and Richards replied we can require them to do so and we can sue under paragraph 17 which requires them to cover all costs, Smith stated this answers one of the questions the Trustees posed in an August meeting. Smith shared this email with the Trustees and can add this to next week's

agenda for Discuss with Possible Action, and share this email with Gallentine as well. Hoffman stated he reviewed Richards reply and thinks it is well thought out, and very precise, and noted Richards just pointed out some technical things like capitalizing some things in the application. Hoffman stated he felt that Richards had made some good comments and that Smith's research into finding out what some of the other counties do as far as an application fee or bond, this is something that would be worth talking more next week on. Smith stated that she can add it to next week's agenda, and had hoped Richards would draft some of that language, but if the Trustees would like Smith to draft that she can and have Richards and the Trustees review it the following week. Smith stated we had talked about inviting all of the utility permit holders come to the September 30th meeting, Richards has confirmed he will attend and the only RSVP Smith has received is from Ryan Meints of Olsson Associates, they do the engineering work for Aureon, Meints told Smith he would attend as he is curious to hear what has to be said, and Meints stated he helps Aureon create the permit application and once it is in Aureon's hands it is out of Olsson's Associates hands, and Meints would not be the person involved in communicating with the contractor the Permit's requirements, that would be Aureon. Smith is hoping we will get some other respondents to attend the meeting. Smith stated a lot of the people listed as contacts on the permits are not in a local office location so she did provide them with the option to attend the meeting on the 30th via zoom. Hoffman stated overall that everything that Richards replied with is right on target and it coincided with the homework Smith has done and Hoffman appreciates that it is all coming together now.

6. Adjourn Meeting

Motion by Hoffman to adjourn. Second by McClellan. All ayes. Motion carried.