

REGULAR DRAINAGE MEETING
January 22, 2020 to Follow 11:00 AM
DD 86 Landowners Meeting

1/22/2020 - Minutes

1. Open Meeting

Hardin County Drainage District Board of Trustee Chairperson Lance Granzow opened the meeting. Also present were Trustee Renee McClellan; Landowner Greg Larson; Lee Gallentine of Clapsaddle - Garber Associates and Drainage Clerk, Denise Smith.

2. Approve Agenda

Motion by McClellan to approve the agenda, second by Granzow. All ayes. Motion carried.

3. Approve Minutes

Motion by McClellan to approve the minutes to Regular Drainage Meeting dated 01-08-2020. Second by Granzow. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve the claims for payment with pay date of Friday, January 24, 2020. All ayes. Motion carried.

DD BIG 4 Lat -2 - Brush Control Spraying & Labor, B&W Control Specialists \$306.25

DD 55-3 Lat 9 - Tile repairs parts labor tree rem., Honey Creek Land Improvement, LLC \$27,228.59

DD 86 - Publication of Landowner Hearing, Times Citizen \$45.12

DD Big 4 L-C - Brush Control Spraying and Labor, B&W Control Specialists \$187.25

DD 9 - WO 229 - Prof. Serv. Annex & Reclas. The Davis Brown Law Firm \$450.00

DD 22 - Pay Estimate No 1, Gehrke Inc. \$184,982.40

DD 52 - WO 215 - Tile repair, parts, labor, Honey Creek Land Improvement, LLC \$14,503.63

DD 55-3 WO 201 - Tile televiser, kill trees, digging, Honey Creek Land Improvement, LLC \$4,175.00

DD 100 - WO 248 - Tile repair, parts & labor, Honey Creek Land Improvements, LLC \$2,817.44

DD Big 4 L-4 - Brush Control spraying & labor, B&W Control Specialists \$259.25

4.I. DD 22 - WO 176 - Discuss W Possible Action - Pay Estimate No. 1

DD 22 WO 176 - WO 176 - Change orders to the original bid were discussed in Drainage Meeting dated September 11, 2019, however the original Pay Estimate No. 1 for Gehrke, Inc. for the amount of \$184,982.40 was not motioned for approval. Requesting review and motion for approval for payment, it is included in today's Claims for Payment.

Motion by McClellan to approve DD 122 - WO 176 Pay Estimate No 1 for Gehrke, Inc. Second by Granzow. All ayes. Motion carried.

4.II. Discuss W Possible Action - Wind Turbine Ordinance / Drainage Utility Permit

Wind Turbine Ordinance / Drainage Utility Permit - Smith stated that she had received feedback on the postcards that were sent out to landowners in Private Trustee Districts regarding the Supervisors review of wind turbine ordinance / drainage utility permit language. The postcard requested landowner feedback regarding what requirements they would like to see included in that language.

Smith received feedback in the form of many phone calls from landowners and some written feedback from the Private Trustees. Many of the callers had town parcels and were surprised that they received the postcards, but most expressed thanks to the Trustees for their interest in protecting the drainage facilities and in requesting landowner feedback.

Many of the callers expressed that they did not want additional risk to the drainage facilities, there were concerns noted that the WEC's would need to follow existing rules. One caller stated he had previously signed a wind turbine easement, which has since expired, and that he would not be renewing or signing any new easements in light of the risk to district tile, he noted he was not opposed to new turbines as long as the WEC's actually follow the current requirements.

The majority of the callers were concerned about the potential long term costs associated with tile damage and repairs, many stated that language should be strong enough to ensure the costs for repairs required due to the construction or maintenance of those wind turbines be born by the turbine companies, and not the landowners. Concerns were raised that any damage done to tile may be a long term issue, that appears or develops over many years, and may affect farm costs in the way of crop damages, flooded fields, and district repair costs.

DD 4 Trustees stated they had no concerns as long as the wind turbines follow the permitting process rules.

DD 98 Trustees communicated that they are against the construction of any new wind turbines in Hardin County.

DD 18 Trustees communicated that it is important that any drainage problems detected from any wind turbine construction be addressed as soon as possible, regardless of whether or not tile was located prior to construction.

DD 39 Trustees communicated they would like to see language that requires supervision/observation during construction to protect drainage facilities.

Several callers stated they would reach out to the Supervisors directly. Smith directed callers to call back if they need more information, Smith shared contact information with callers for their Private Trustees and encouraged them to reach out to them or the Supervisors to provide feedback.

Granzow stated that he would like to gather feedback directly from the Private Trustees and would like their input as the County looks at crafting this ordinance.

Motion by Granzow to schedule meeting with Private Trustees for February 19, 2020 at 12:30 PM, and to direct Smith to notify Private Trustees by mail and request they attend the meeting. Second by McClellan. All ayes. Motion carried.

5. DD 122 & DD 8 Lat 2 Warranty Review - Discuss W Possible Action

DD 122 & DD 8 Lat 2 Warranty Review - There was a warranty review reminder on the Drainage Calendar in minutes dated 6-27-2018 to look at the warranty at one and a half years out, it had been on the agenda on January 8, 2020 but was tabled at that meeting. No landowners were noted in previous minutes, that they would report back with any concerns. Smith spoke with contractor Cole Excavating, and they report no feedback at all on this project from landowners.

Granzow stated we should send a postcard to landowners to request feedback on if they have experienced any issues with the project. McClellan stated she would like to see a deadline for reply by May 1, 20 so that the landowners have had some time to get in the field and work the land, and see if there are any issues. Granzow stated any issues need to be reported to the contractor before the warranty expires, and that the issues do not need to be repaired by that 2 year mark but they do need to be reported by the 2 year date.

McClellan motioned to direct Smith to send a mailing to landowners affected by this tile repair, requesting landowner feedback on tile function/flow to the Trustees, with feedback due to the Trustees no later May 1, 2020, and to include map information of the repair. Granzow seconded. All ayes. Motion carried.

6. DD 143 - WO167 - Discuss W Possible Action - Surveyor's Report & Engineer's Supplement Report

DD 143-WO 167 - The Trustees requested CGA to do a Surveyor's Report to determine the right of way through Radcliffe along Ionia Ave., and also a supplemental report with repair options for the tile that runs along Ionia Ave. It was discussed where and when a Public Hearing should be held to discuss the Reports and Repair Options. Repair options range in cost from \$270,000 to \$455,000 along Ionia Ave. There are tree roots in the tile, tile is anywhere from 1/4 to 3/4 full of tree roots, and a landowner has previously expressed concerns about the tree roots at several meetings.

Location options in Radcliffe for the public hearing were discussed. McClellan motioned to direct Smith to reach out to Radcliffe Mayor Taylor Roll to investigate available locations, dates and times for the Public Hearing and report back to the Trustees at the next meeting. Granzow seconded. All ayes. Motion carried.

7. DD 124 -Discuss W Possible Action - Utility Permit 2018-14 Crossing Summary

DD 124 - Utility Permit 2018-14 Crossing Summary - This was for a new home constructed off HWY D41, when Midland went out there last year, they found the tile that was at the toe, and they assumed it was district tile. Midland crossed it and followed up on the permit properly. At that time, Midland installed a conduit for Heart of Iowa. Heart of Iowa applied for a utility permit to utilize the conduit installed by Midland.

It was discovered in investigation by contractor Adam Seward, that this tile was a dead tile, and the actual tile was located farther back. Heart of Iowa crossed the tile that was thought to be live, they did not injure the tile, but it turns out that was the dead tile. Heart of Iowa did not end up crossing a district facility at all. Gallentine asked the Supervisors how they would like him to bill his time for this utility permit. Granzow replied that it should be billed to the Drainage District since the dead tile was not crushed or noted as dead tile by the District.

Motion by McClellan to have CGA bill the Drainage District 124 for the expense. Second by Granzow. All ayes. Motion carried.

8. DD 56 - W03- Update On Reclassification Report Status

DD 56 - WO 3 - Smith had two landowners reach out wanting to know the status of the DD 56 reclassification report. Gallentine provided an update: Not quite a year ago, it was discussed about splitting the district into 2 and lowering the main a couple feet. CGA has the bulk of the reclassification work done, CGA will need to meet with the other Commissioners, and should have it wrapped up within the next couple of weeks. CGA will have it to the Trustees then, so that a public hearing can be scheduled.

Landowner Greg Larson asked if anyone had ever discussed with the landowners to the north of DD 56 proposed repair, if they would at all be interested in having the main tile route come across their land to a different drainage ditch for the proposed shortcut to the drainage ditch. Gallentine stated he had not communicated with those landowners, as he has been preparing the reclassification report.

Granzow stated that the reclassification report was ordered before the repairs were to be considered or work was to be done. Gallentine stated that if the district splits, both new districts will receive some benefit from

it, and there would be costs to both halves if the project were to proceed. Then once estimated costs are known and if the project would still be desirable, the Trustees would then talk to the landowners about acquiring an easement, this has not been done yet at this time.

9. DD 9 - Discuss W/ Possible Action - Crop Damage Claim

DD 9 - Should have been noted as DD 25- A claim for crop damages has been submitted by Jason Martin for work done in DD 25. Motion by McClellan to acknowledge receipt of claim for crop damages from Jason Martin and to have CGA verify acres of damage submitted. Second by Granzow. All ayes. Motion carried.

10. Other Business

DD 25 - Gallentine updated that he has been emailing the railroad every two weeks for an update on the amended crossing permit and has received no updates in reply from the railroad. Gallentine asked if the Trustees wanted to involve legal. Granzow directed Smith to add this to next week's Drainage Meeting agenda.

Smith stated that the canvass of 2020 Drainage Elections is ready and will be added to next week's agenda for review/approval.

11. Adjourn Meeting

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