

REGULAR DRAINAGE MEETING

Wednesday April 06, 2022, 9:30 A.M.

This meeting was held electronically and in-person

4/6/2022 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson BJ Hoffman opened the meeting. Also present were Trustee Lance Granzow; Lee Gallentine of Clapsaddle Garber Associates; Michael Pearce, Network Specialist; and Michelle Kuechenberg, Drainage Clerk.

2. Approve Agenda

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

3. Approve Claims For Payment

Motion by Granzow to approve the claims for payment with a pay date of 4/08/2022. Second by Hoffman. All ayes. Motion carried.

DD 56 Upper Main Tile Diversion Pay Estimate #1	Gehrke Inc.	\$233,914.72
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4. Approve Minutes

Motion by Granzow to approve the minutes of the regular drainage meeting dated 3/09/2022. Second by Hoffman. All ayes. Motion carried.

5. Discuss W Possible Action - Consideration Of Cancelling The 04/13/22 And 06/08/22 Regular Drainage Meetings

Granzow asked Gallentine if there were any reasons why we need to have these drainage meetings on 4/13 and 6/08. Gallentine stated he did not have any reasons, especially not the one on 4/13. Granzow stated the date in June is the day after the primary. Hoffman stated usually the day after elections we like to give the Auditor's office some breathing room. Gallentine stated he is fine to work around those dates.

Motion by Granzow to approve cancelling the regular drainage meetings on 4/13/22 and 6/8/22. Second by Hoffman. All ayes. Motion carried.

6. DD Big 4 Main WO 318 - Discuss W Possible Action - Landowner Concerns

Kuechenberg stated they initially thought this dam was all clear after our trapper left the site in February. Kuechenberg stated she contacted the landowner about this work order to inform him that we were going to send a contractor to the area to remove the dam and the landowner reported seeing animal tracks in the area shortly after our trapper finished up. Kuechenberg stated Tibbs and his wife were unsure if they were beaver tracks. Kuechenberg stated she added this back on the agenda to see if the Trustees wanted her to assign this to the lottery as planned or send another trapper to the area. Granzow asked if that was the work order that Austin was assigned to. Kuechenberg stated that is correct. Granzow stated he remembers there were three dams on that work order. Kuechenberg stated she did not think Austin got to the third dam near RR bridge, that was also part of a different work order that another trapper was assigned to. Granzow stated he was ok with sending another trapper to the area to check things out right up until Kuechenberg told him that the landowners were unsure if they were beaver tracks, or they belonged to another animal. Granzow stated that could have been a muskrat or a racoon. Kuechenberg stated that is what she was thinking too. Granzow stated he would say just to knock them out and have them cleaned up. Granzow stated if the contractors see anything while they are on site or if the landowners see anything before the contractors get out there, they can always call and report to us that there are still beavers in the area. Kuechenberg stated she was ok with that. Hoffman stated if there is any beaver on the site, you should ask whoever the contractor is to leave equipment on site until we can mitigate the beaver so we're not paying for back and forth, if they would give us a day or so that would be perfect.

Motion by Granzow to assign the work order to the lottery. Second by Hoffman. All ayes. Motion carried.

7. Discuss W Possible Action - New Work Order Requests

Kuechenberg stated Allen Tibbs reported a broken tile outlet on a neighboring parcel while she was on the phone with him discussing the beaver dams. Kuechenberg stated Tibbs was unsure if it was private or district tile, but Kuechenberg noted the main tile runs right through there. Kuechenberg stated that Tibbs would just like to have someone come out and look at it, if it is private, it will be taken care of. Kuechenberg stated Tibbs told her this tile outlet has been broken for the past couple of years now. Hoffman stated so we just need to ask CGA to go out and take a look at this to see what is going on, if it is district tile CGA can see if the lottery can handle it so we can get it done. Granzow stated unless you think it is private, you take the pictures, you know the routine. Gallentine stated yes, if it is private, they will report back that it's private. Gallentine stated if it is something simple, he will report back, and the lottery can get it fixed. Granzow asked if the same guy tearing the dams out can repair it. Gallentine stated yes, easily. Granzow stated we should probably try and coincide them together, so we only have one trip to charge. Kuechenberg stated she was ok with that. Gallentine stated he would agree, but he also would not hold up the dam for this just with spring rains coming. Gallentine stated just whoever you get, make sure you tell them we might have another work order in the area and not to leave until they talk to us. Kuechenberg stated she was going to call Joel Steiner with South Fork. Gallentine stated they're the only ones in the lottery that do not have something going on right now. Granzow stated he was ok with that. Gallentine stated they have indicated they are available for work if we need them.

Motion by Granzow to instruct CGA to check out work order 329 and report back. Second by Hoffman. All ayes. Motion carried.

8. Other Business

Gallentine and Kuechenberg did not have anything for other business.

DD 52- Granzow asked Kuechenberg if we've heard anything back from Mike Richards on the district in Hubbard. Kuechenberg stated she has not heard anything yet, but will reach out to him for an update. Kuechenberg stated when she sent everything over to Mike he was on vacation, she does not know how long he was out of the office. Kuechenberg stated he was also in a trial so he is starting to catch up with everything we have sent him with the IRUA invoices as well. Granzow stated he was hoping this would get handled pretty quickly. Gallentine stated maybe we should have him reprioritize, not do it chronologically but maybe put 52 at the top. Kuechenberg stated she was ok with that. Gallentine stated the IRUA invoices have been around for 2-3 years now.

Hoffman stated he wanted to go back to their lack of repealing ordinance No. 40 today in the Supervisors meeting. Hoffman stated this is something he would like to mention to Renee when she gets back. Hoffman stated instead of going through what Franklin County is going through and what appears is going to happen in Madison County, right now Hoffman does not know of any projects in the works or anyone out gaining easements. Hoffman asked what it would look like if we just had a moratorium on wind while there is no active development on commercial wind. Granzow asked for what reason. Hoffman stated the return on investment is lacking and if this senate file, which it did and passed. Granzow stated so what Kossuth County and he thinks Franklin County has done is put a maximum wattage which ended Kossuth. Hoffman stated with doing some research, there is potential if they repowered the Garden City Wind Sites and put a limit on it, they might not even be able to repower. Granzow stated you can make the limit a little bit stronger. Hoffman stated that is correct, he is just saying a lot of the companies when they get them to repower, they see that threshold and think enough is enough. Hoffman stated what bothers him is under senate file 2366, it will be on the Governor's desk for signing, industrial wind farms will no longer have to pay property taxes but a far lower per kilowatt tax rate unless the Supervisors agree to pass an ordinance that gives them a 60% discount on their assessed property value, Iowa Code 427B.26. Hoffman stated looking at the headaches and how much money we've spent of tax payer dollars both as Drainage Trustees and Supervisors is there really a truer return on investment going forward by saying this is something we want to consider development in Hardin County, especially with the critical infrastructure that we have to protect by drainage code. Granzow stated he would be leery, just because RWE pulled out does not mean they are not legally moving forward. Hoffman stated he understands, but he is wondering what the trigger is going to be to putting a megawatt limit on any future developments because you're not going to be sitting in this seat forever and neither am I. Hoffman stated he thinks some developers will wait for the days that we are replaced and the opportunity to take advantage of someone who does not know the history. Hoffman stated he just wanted to know what the trigger point is. Hoffman is all in favor of capitalism, but with any other business if you know you are going to come into town and set up shop you know what your limits and return on investments are. Hoffman stated legislation like this really bothers him because at no point do we turn around and tell a community that is trying to get a data center that gives millions of dollars in tax incentives with next to no jobs that trickle down economics don't make any sense at this point.

Hoffman stated he would like to invite Senator Sweeney and Speaker Grassley. Hoffman stated maybe they would like to come into a drainage and supervisors meeting and explain how they can rationalize this. Hoffman stated this really puts us in a corner. Granzow stated that part would be ok, he would be leery of changing anything at this point. Hoffman stated what is that trigger point going to look like. Hoffman stated you don't have to answer, but he is guessing Franklin County wishes they would've had a trigger in place months or years ago. Granzow stated maybe the trigger point would be that we don't accept them in drainage districts, why are we excepting a pipeline or anything else. Granzow stated if we put the ordinances there to protect everything, he believes everyone has a right to do what they want, but drainage was there first. Hoffman stated at what point do we see with the legality, if landowner A in drainage district signs up for a pipeline, solar panel, wind farm whatever the new technology is at the time, when do we write something that they become somewhat personally responsible for inviting this onto their property which may cause the district to be responsible for the costs. Hoffman stated if the legislatures would've spent more time revamping two sections of drainage code, they would've gotten a lot more accomplished than taking any economic incentive away from counties to post commercial wind. Granzow stated he has talked to other counties that are in favor of the windmill ordinance that passed, even ISAC stood up to its approval. Granzow stated he's talked to other counties that have quite a few windmills and they think it is the greatest thing in the world because the assessor told them so. Granzow stated he thinks only 2-3 counties opposed it. Hoffman stated they have no idea what they are missing out on. Hoffman stated then again you hear our 2-3 representatives talk about local control then take local control away from us. Hoffman stated he would like to them to tell us what they have done to improve local control. Hoffman stated he would like our elected officials to go on record and explain how they can vote for something that hurts our efforts to increase revenue. Hoffman stated they have to figure out a way to keep some equity, you will find the poorest counties being targeted and you will destroy a lot of natural resources in the process.

9. Adjourn Meeting

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