

REGULAR DRAINAGE MEETING
Wednesday, April 22, 2020 9:30 AM
This meeting was held electronically due to Covid-19 concerns.

4/22/2020 - Minutes

1. Open Meeting
Hardin County Drainage Trustee Chairperson Lance Granzow opened the meeting. Also present were Trustee BJ Hoffman; Trustee Renee McClellan; Angela De La Riva, Economic Development; Lee Gallentine of Clapsaddle-Garber Associates (CGA); Jeremy Rogness of Rogness Brothers Excavating; and Denise Smith, Drainage Clerk.
2. Approve Agenda
Motion by Hoffman to approve the agenda. Second by McClellan. All ayes. Motion carried.
3. DD 102 - Discuss W Possible Action - Wetland Project #HAR862018C Rock Bedding Alternative & Reclassification

DD 102 - The rock bedding alternative on the Wetland Project and reclassification for DD 102 were discussed. Smith stated when we spoke about this last week, the Trustees may have had questions for the contractor, Smith contacted Rogness Brothers Excavation, and got contact information for Jeremy Rogness if the Trustees would like to call and ask any questions the Trustees are able to do that today. McClellan stated she knows Perry is concerned about the cost, and the recommended depth is halfway up the pipe, and it was discussed there would be no traffic over the pipe, McClellan would feel better if we could get more information. Granzow stated it is a concrete pipe and the recommendation for the rock bedding was bid as an alternate, this is just an inexpensive insurance against future issues. Granzow stated we can call Rogness and ask if we just use the rock bedding in the bottom of the trench or does it need to go halfway up, and if it were just across the bottom, would that reduce the cost. Gallentine stated we are back to the same conversation we have had for a while - are we installing to municipal standards or ag standards, if it is ag standards you can spoon it in with no rock at all, if it is municipal standards, you would have to put rock in. McClellan stated it is in a low traffic area, with little or no traffic over the top of it, however the majority of the postcard responses said yes to the rock bedding.

Hoffman stated we have usually voted with the landowner's decision, and would like to follow the postcard vote, Hoffman wanted to ensure that the postcards were sent out to parcel owners as one vote per parcel, not like husband and wife each got a vote, to make sure we have an accurate data set. Hoffman asked Smith if she felt we had an accurate representation of the votes. Smith stated yes, landowners only received one postcard per parcel, and only one vote is recorded per parcel regardless of how the ownership is split. Hoffman asked if it was a fairly unanimous decision, Smith stated yes, it was 14 in favor of the bedding and 2 opposed. Hoffman stated he feels comfortable going with the rock bedding as that insurance policy, and we did our best to educate, inform and involve the landowners, and feels more comfortable going forward that we take the opinions and vote of the people paying these bills seriously and into consideration. McClellan tends to agree but wonders if we really need to go halfway up the pipe or could we just use the rock in the base of the trench.

Granzow stated he is concerned if the ground is bad underneath, and we should have our drainage engineer present, not the whole time, but present to see what type of soil is there, and that needs to be an on the ground call at that time. McClellan agreed. Granzow stated if we find we have good soil types present, and the drainage engineer is not concerned about it, then we don't need the rock, but if we have bad soil then we need the rock regardless, and our drainage engineer, not their engineer, can recommend doing the rock. Hoffman agreed, if we can make it so an observer from CGA could be on-site and if soil types are bad, CGA could let Smith know and do a 24 hour notice for a drainage meeting, he would feel very comfortable doing it that way with a change order. Granzow stated he is more comfortable with that, we are just looking at cheap insurance now, not if it is actually needed, if it is needed, we have the price, we can go with it. Granzow agrees with McClellan's question if it needs to be halfway up the pipe. Hoffman stated what is in the illustration, on the top right looks adequate, and asked Gallentine if that would be

adequate if we needed the bedding. Gallentine stated if we run into bad soils you would need the top left illustration, if we do not run into bad soils, you probably don't need any rock. Granzow stated he wants that judgment call from CGA when they are digging, it will not cost that much more to have CGA on-site, but this information is for Granzow's own judgement call on whether Gallentine feels we need it or not and it can be put in the records by having CGA there, stating yes you need it or no you don't, it is not putting CGA on the line as the Trustees will still make the decision. Granzow went on that by not looking at it, it is negligence on our side also. Gallentine stated it is cheap insurance, but there is such a thing as being overinsured and understands the Trustees position.

Granzow asked if we should call Rogness Brothers to see if this is feasible. McClellan stated we can call and let them know that is what our plan is. Hoffman stated that would be a good idea, as not to surprise the contractor later. Gallentine stated this would be just for construction downstream of the wetlands. Jeremy Rogness was called by the Trustees. Granzow stated we have some questions on the rock bedding alternative bid on the main tile, we included the rock bedding alternative as cheap insurance in case we needed it, but if it is not needed, we don't really need to do it and spend that extra money on the district, but we won't know that until we dig into the ground. Rogness agreed, and assumed as we are laying RCP pipe, the rock bedding will not be needed unless the soil type or conditions are adverse to the point that it would be needed, if soil conditions are proper, we will lay RCP pipe and you will not need the rock bedding. Granzow stated the Trustees feel the same way. Gallentine asked if the pipe would be spooned in. Rogness stated yes the pipe would be spooned in, Gallentine stated that will help a lot also. Granzow introduced Gallentine, our drainage engineer, and stated the Trustees would like Gallentine to be present when they are ready to install pipe, and that Gallentine will know as fast as Rogness will if the rock bedding is needed, then Gallentine can report to the Trustees the need for a change order to add the rock bedding. Rogness stated if we were going to have to need rock bedding on the RCP pipe, it would only be on the bottom of the trench, it would not be the same as HDPE pipe, where you need it to the top or over the top of the pipe. RCP pipe has the rock and reinforcement in it already, really the rock bedding if it is needed for the RCP pipe would only be for the bottom third of the pipe.

Granzow stated when we had the alternate bid done, it specified the rock bedding up to the middle of the pipe, and asked if this would reduce the cost by doing this only on the bottom third. Rogness replied, yes it would reduce the cost but could not give a figure at the moment as he is not in the office, and does not have the plans with him. Rogness stated his intention is to not use the rock unless it is necessary. Granzow stated he was glad to hear it. McClellan stated we will plan on having CGA out for observation and asked Lee to coordinate with Rogness. Rogness stated when he supplied his construction contract to the department, Rogness is slated to start the project around the 1st of June. Granzow stated if it were up to him, he would decline the rock alternative portion of the bid as Rogness is not proposing going halfway up the pipe as the alternate stated. Rogness stated in his opinion he would not award the alternative rock bedding, the way Rogness interpreted the bid was that it wasn't for spot use it would have been to rock bed the whole pipe. Gallentine stated he thinks that is how the Department bid it at the District's request, but what the Trustees would like to go back to is for spot usage depending on soil types. Rogness stated his intention is to spoon the trench, and if that can be done it will be a substantial savings to eliminate the rock, which basically takes you back to where the base bid was of not using the rock. Gallentine stated if the soils stay decent there is no cost to the district other than us going out and looking at it. Hoffman stated this was good news. The Trustees thanked Rogness for his information and participation.

Motion by Hoffman to instruct CGA to be on site during the installation of the RCP portion of the main tile installation, and if soil conditions are not adequate, CGA will instruct the contractor to install rock bedding after coming to the Drainage Trustees for approval. Second by McClellan.

In further discussion on the motion, Granzow asked if CGA would be out there the entire time. Hoffman stated on other projects soil conditions changed during construction, and having CGA out on-site during the construction of the main would be beneficial. Granzow asked if Hoffman would like to have CGA contact the Trustees via email for an instant answer or to have us come back for a meeting. Smith stated if the Trustees would like to have a meeting, we do require 24 hours notice to post the agenda. Hoffman stated if we have something in our minutes that states if and when the CGA engineer determines the soil types are not adequate, the change order will automatically be approved. Granzow asked if CGA has the authority to contact us via a quick phone call or email, so CGA is not making a sole decision on this, we say yes in writing in an email and we are already a yes if it is needed.

All ayes. Motion carried.

Hoffman motioned to give CGA the delegated authority if the soil conditions on the main tile line that includes RCP are not favorable, to give the Trustees notice, and with electronic communication, initiate rock bedding on the DD 102 Wetland Project. Second by McClellan.

In further discussion on the motion, Gallentine stated, if I understand this correctly, CGA will be out there while they put in the main tile downstream of the wetland, if soil conditions appear that we need to use rock, we have the authority to do so but we need to let the Trustees know. Granzow asked if this means that CGA needs to be out there the entire time. Gallentine stated he did not think they would need to be present the entire time during construction, it depends on how quickly the contractor moves, but there is no doubt that soil conditions can change quickly. Granzow does not disagree with that especially if the contractor is only doing 20' a day, it will be up to CGA to decide how much they need to be out there based on progress, Gallentine stated it is different if the contractor is doing 200' a day.

All ayes. Motion carried.

Gallentine asked if we are going forward with the reclassification on DD 102. Granzow stated he feels we should have the reclass done, as it is basically a new project once the wetland is done, and the old assessment will not be accurate. Gallentine agreed. McClellan stated in the long run it is a benefit to the whole district. Granzow stated the State is paying for the project, and if we are talking about a new outlet, why wouldn't we reclassify before rather than the end, the end result is a new classification. McClellan's question is if it is a benefit to everyone, should the landowners pay for it since it is a benefit to everyone, and then do the reclass afterwards. Granzow stated up until the project it should be on the existing classification, and once we do the project it should be reclassified. McClellan putting in the wetland should be paid for at the end, which is only the rock bedding and engineering fees. Granzow stated everything prior to before we accepted this project should go on the original classification, but the classification for the last main should be a new classification. Granzow stated it could change the main, Gallentine stated he did not know how the other commissioners would view it but the Perry's land that is in the wetland should not be paying much assessment if any. Gallentine stated it is but it is ground that is under water, and will not have the ability to farm it again in perpetuity.

Gallentine stated he would like to get the reclass going as it does take some time. Smith stated the Reclassification was included in today's agenda under number 3, Discuss w Possible Action - Wetland Project Rock Bedding Alternative and Reclassification, so if the Trustees wished to make a motion on the reclassification today they could.

Hoffman motioned to instruct CGA to commence work on the reclassification of DD 102 to begin immediately. Second by McClellan.

In further discussion on the motion, Gallentine asked that we are doing the main and laterals as the laterals were never separated before, the Hoffman stated that was correct. Granzow stated he wanted to know if the main is going to change. Gallentine stated the main will change because now we have a gap in the main between the downstream portion and the upstream portion. Granzow asked if the upstream portion then turns into a lateral. Gallentine replied yes, Lateral 7 is now the longest tile in the district, it is a separate tile form the original main but it will have it's own separate classification. Granzow asked if the main is just that short little chunk, Gallentine stated he think the main is just that little chunk downstream from the wetland, everything else would be a lateral. Granzow stated then yes, we should do the laterals separate.

All ayes. Motion carried.

4. DD 14 WO 291- Discuss W Possible Action - Plugged Main Tile / Lat 2

DD 14 WO 291 - Smith stated James Sweeney reports a plugged main tile, in Jim and Ron Vierkandt's parcels. Vierkandts had called in Sheldahl to pothole and explore the tile on the south side of D41 and they

feel the issue is likely in the main tile. There is an intake further east of D41 and S27 intersection, where the tile goes under the road and needs repaired. Smith stated this was the first request on this work order, later in the week Smith heard from Sweeney again that there was a lack of drainage downstream of the intersection of the Lat 2 and Main tile, in the last three years the Lat 2 tile has lacked enough drainage to effectively farm the area it should drain. Smith stated the landowners dug potholes in Sections 34 and 35, and the potholes remain full of water and do not drain. Sweeney also reports a broken intake at Lat 2 intersection with D41 in Section 35. Sweeney sent photos, that show the potholes still full of water. Smith stated Cynthia Ioger, James and Ron Vierkandt were the reporting landowners.

Motion by McClellan to send CGA out to investigate and report back. Second by Hoffman. All ayes. Motion carried.

Gallentine asked after the investigation would the Trustees like this assigned to the lottery right away. The Trustees agreed to assign the work order to the lottery right away.

5. DD 25 WO 1 - Discuss W Possible Action - Claim For Crop Damages- Fincham

DD 25 WO 1 - Discuss possible action for this crop damage claim was discussed last week, Smith stated that Fincham originally reported 3 acres of crop damage, and we had CGA verify .76 acres, and the amount paid out on the claim was based on the .76 verified acres, Smith stated half of the payment went to David Fincham and half went to Alvin Clark, each received \$203.87, Smith stated Fincham was upset last week and expressed concerns on how the claim was handled, if the Trustees would like discuss the claim, Smith can provide numbers on what the remaining acres would be paid out at if it is revisited. Granzow stated his claimed 3 acres was different than CGA's verified .76 acres because of all the driving in between the potholes in addition to the potholes. Gallentine stated the CGA verified area would have just been from the crop that was destroyed and just the potholes, not necessarily the area in between that may have been broken down.

McClellan motioned to pay crop damages on the remainder of acres originally claimed. Second by Hoffman.

In further discussion on the motion, Hoffman stated he appreciated Fincham's approach rather than someone getting hostile over everything, he was very approachable, and he appreciates that. Granzow stated although Fincham did not like it, he was done arguing it, and that is why it was readdressed, because we did not have all the information, and that is also why we readdressed the claim from Jason Martin, we just did not have all the information. McClellan stated maybe we should be contacting the landowners for an actual discussion that submit claims from now on so we have the whole picture of the damages. Gallentine stated perhaps we can add to the form an area for notes or discussion. Smith stated when a landowner requests a claim form, she sends a letter asking the claimant to send in as much information as possible, but could add to the letter that the claimant may be contacted for more details/discussion with the Trustees during a drainage meeting. Gallentine stated it is often difficult to get the whole story, Granzow agreed that perhaps we just need more discussion.

All ayes. Motion carried.

6. WO - 2020-8 - Discuss W Possible Action - Midland Drainage Utility Permit Application

WO 2020 - 8 - Midland Power Cooperative submitted an application for Drainage Utility Permit in DD's 123, 31 20, 26, H-H 104-222 for four miles of overhead line rebuild, along Hwy D41, in Buckeye Township, Sections 27, 28, 29 and 30.

Motion by Hoffman to approve Midland Drainage Utility Permit 2020-8. Second by McClellan. All ayes. Motion carried.

7. WO 2020-9 - Discuss W Possible Action - Midland Drainage Utility Permit Application

WO 2020-9 - Midland Power Cooperative submitted a Drainage Utility Permit Application for a 2 mile line rebuild along 240th St, in Tipton Township, Sections 8 and 9.

Motion by Hoffman to approve Midland Drainage Utility Permit 2020-9. Second by McClellan. All ayes. Motion carried.

8. DD H-F WO 286 - Update From Franklin County

DD H-F WO 286 - Smith stated that Franklin County Board acknowledged and accepted the Hardin/Franklin County work order #286 request for investigation of tile due to abnormal standing water. Smith notified requestor Landon Aldinger and Gallentine, so they have both been made aware that both counties have now accepted and acknowledged the work order.

9. Discuss W Possible Action - 2020 Drainage Assessments

Smith stated in preparing the 2020 Drainage assessments, Smith has four districts ready to assess. Smith asked about the 2 month extension given to landowner to pay their property taxes by the Governor due to Covid-19, Smith asked if the Trustees still want the assessments to go out on their regular schedule. Hoffman stated they should go out on the regularly scheduled date. Smith stated she will have the 2020 assessments ready for approval next week. Smith asked about 3 districts with small outstanding balances of less than \$300, two of these districts are Iowa Falls controlled districts, DD 114 and DD 134, both of these were for scans of district maps, DD 120 also has a small outstanding balance for scans. Smith asked, because the balances are so small, did the Trustees want to assess them with this year's assessments or hold off until next year when they consider a possible assessment on all districts for administrative costs, and do we need Iowa Falls approval as well for the Iowa Falls controlled districts.

Granzow stated it should be the district bill, Gallentine stated previous clerk Schlemme handled the scans. Granzow stated they should be charged for the scans. McClellan stated since they are such small bills, there would be a lot of \$5.00 minimum assessments, which would generate a positive balance if any other small bill should arise. Granzow stated the downside is, if we don't have the authority to do it, why do we do it on the Iowa Falls districts, but it is the drainage clerk's housekeeping costs so that all the district maps are now digital. Gallentine stated we scanned the maps for the private Trustees as well, and the drainage clerk is clerk for all the districts no matter what. McClellan stated we would either assess them now to pay the outstanding balance or add the cost on when we do the county wide assessment. Smith agreed. McClellan stated that rather than having those districts get assessed twice, it would be simpler to assess them once on the county wide assessment, and would be less work. McClellan asked how far out are we on the county wide assessment. Smith stated she is about halfway through the work, and is still a few months out on totals. McClellan stated if we assess now, we are doing the work twice, and for as small as they are, they could be done once. Smith stated for as small as they are, being less than \$300, if we do the \$500, \$1,000 or \$2,000, minimum assessment on a potential county wide assessment, those city parcels will generate quite a few \$5.00 minimums so you would have enough excess to cover the \$300 outstanding balances. Smith just wanted direction. The Trustees agreed to have the three district assessed for the outstanding balances on the county wide assessment.

Smith asked for some history on joint DD H-F 1, Smith pulled the outstanding warrants, and this district had a negative balance of \$33,000. As Smith looks at what work she is charging the districts for, and looking at those older stamped warrants, some of the stamped warrants were for refunds made on an assessment error in 2018. Smith reviewed this with previous clerk Junker, and wants to make sure the numbers are as accurate as possible. Gallentine stated he believed the refund was due to the assessment schedule in Tyler was not the most recent one, and Schlemme discovered that after assessments had been sent out, so refunds were made, and Smith can call Gallentine with questions. Smith stated she did not have the historical frame of reference on this and that information helped. Smith will call Gallentine to discuss the classification.

10. Other Business

Smith has not received an update from attorney Mike Richards on the wind turbine / drainage utility permit process discussion we had recently, Smith will ask Richards for an update on his progress.

11. Adjourn Meeting

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