

**REGULAR DRAINAGE MEETING**

**April 29, 2020 9:30 AM**

**This meeting was held electronically due to Covid-19 concerns.**

4/29/2020 - Minutes

1. Open Meeting

Hardin County Drainage Trustee Chairperson Lance Granzow opened the meeting. Also in attendance were Trustee BJ Hoffman; Trustee Renee McClellan; Landowner Curt Groen; Lee Gallentine and Heather Thomas of Clapsaddle-Garber Associates (CGA); Angela De La Riva. Economic Development; and Denise Smith, Drainage Clerk.

2. Approve Agenda

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

3. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, May 1, 2020. Second by Hoffman. All ayes. Motion carried.

DD 26 Lat 4 WO 82 - Tile Investigation	Adam Seward	\$ 300.00
DD 25 WO 209 - Crop Dmge Claim 2020-2 Revised	Alvin C Clark	\$ 600.88
DD 25 WO 209 - Crop Dmge Claim 2020-2 Revised	David A Fincham	\$ 600.88
DD 48 WO 237 -Parts, labor & equipment	Honey Creek Land Improvement, LLC	\$13,835.00
DD 128 WO 279- Labor & Equipment	Honey Creek Land Improvement, LLC	\$ 652.50
DD 143 - WO 241 - Legal Prof Srvcs, Review Eng Rpt	The Davis Brown Law Firm	\$ 1,045.00
DD Big 4 Lat 4 WO 195 - Beaver dam removal	Adam Seward	\$ 350.00

4. Approve 2020 Assessments

Smith presented the 2020 Drainage Assessments, three districts will be assessed DD H-F 5-75, DD 34, and DD H-S 35-1. DD H-F 5-75 will be assessed for work consisting primarily of a reclassification report and associated legal fee. The amount needed for DD H-F 5-75 is \$12,180.41, and the district will be levied for \$15,000. DD 34 will be assessed for work consisting primarily of tile repair and rock curtain wall work on an open ditch. The amount needed for DD 34 is \$22,436.90, and the district will be levied for \$25,000. DD H-S 35-1 will be assessed for work consisting primarily of an intake repair and associated engineering fees, and for Story County work order 3261, with a cost of \$2,280.00. The amount needed for DD H-S 35-1 is \$5,786.42, and the district will be levied for \$9,000.00. Smith verified with Gallentine that work was complete on these districts. Gallentine stated he was unaware of any further work going on in those districts. Motion by McClellan to approve the 2020 Drainage Assessments. Second by Hoffman. All ayes. Motion carried.

5. DD 22 WO 176 - Discuss W Possible Action - Update & Pay Estimate #6

DD 22 WO 176 - Heather Thomas stated that Gehrke has done all the touch up grading and seeding, there is a 1 year warranty on the seeding which extends through March 31, 2021 on the County ditches and through April 9, 2021 in Ryerson's yard. There is also a 2 year maintenance bond currently in effect through April 9, 2022. There is a pay estimate, it is a final quantities pay estimate, the only thing remaining will be the remaining retainage. This pay estimate is in the amount of \$26,893.16, and that will keep retainage back at just over \$11,000. Thomas stated that Gehrke has done a good job, and as far as the next step, which is the Completion Hearing, we are waiting on the lien waivers from Gehrke, and then Thomas would like to discuss how the Trustees would like to proceed with the Completion Hearing, with the current social distancing and minimizing gatherings of people.

Motion by Hoffman to approve Pay Estimate #6 as presented by Heather Thomas of CGA. Second by McClellan. All ayes. Motion carried.

6. DD 22 WO 276 - Discuss W Possible Action - Update

DD 22 WO 276 - Thomas stated that this WO was one that McClellan had called her on, this work order was on a hole that formed in a wetland just north of Randy Silvest's house. There was a work order on this that was submitted into the lottery. Thomas checked on where it is in the lottery and there are 2 other work orders ahead of it, however those work orders involve repairs to systems that are currently flowing and not impeding drainage, Thomas stated if the Trustees would like to bump this work order to the top of the list we can see if that would help with anything. Granzow asked if this work order was in a farmable wetland. Thomas stated it is not in a farmable wetland, it is not planted and the only crop damage would be access to get to it. Granzow asked if it would impede access. Thomas stated yes, it would impede access. McClellan stated Silvest had called and was very upset again, McClellan stated she called Thomas to discuss the work order, and the other two work orders were not large issues and discussed if we could we move this one to the top of the lottery. McClellan stated her opinion was to move it to the top, but did not want to make that decision without input from all the Trustees.

Hoffman asked if it would be put in the lottery to the top, or have Gehrke's go back out on this one. Thomas stated it would not be Gehrke if it is in the lottery, but it may be Adam Seward. McClellan stated she did tell Silvest it is in the lottery system, and Silvest stated it has been going on for 10 years. Granzow stated the district has had ongoing problems for the last 10 years. McClellan stated the only contractor we have had doing work recently was Seward, and he is farming this week, McClellan stated if it is in the lottery system Seward might get to it before Gehrke's as Gehrke's is doing farm tile. Thomas stated Gehrke has no interest in doing it. Gallentine stated he spoke with Seward this last week and he is planting but thought that he would be done this week and be back to repairs next week. Gallentine stated of the other two repairs ahead of it, one of them is just involving replacing a surface drain and the other work order is involving tree removal, and was okay with bumping it to the top of the lottery.

McClellan stated Silvest had concerns with Gehrke taking a load of rock/dirt from the project just completed, and Thomas stated that is not accurate. Thomas stated Silvest had spoken to her about it, but when Silvest spoke with Thomas he said there was dirt in the field that when the tile was opened up in the last ten years, the dirt was washed down the tile and out the outlet. Silvest asked Thomas if we could have Gehrke go down and replace the dirt he has lost over the last ten years, and that is how he explained it to Thomas. Thomas is not aware of any rock or dirt that was taken from the site by Gehrke that they should not have. McClellan expressed concerns that this will be an ongoing issue. Granzow stated he was okay with moving it ahead of the other two projects in the lottery.

Motion by Hoffman to move WO 276 to the top of the lottery system. Second by McClellan. All ayes.  
Motion carried.

7. DD 22 WO 176 - Discuss W Possible Actions - Crop Damages 2020-5 & Update

DD 22 WO 176 - Claim for crop damages was submitted by Terry Swenson for damages done during tile repair. Smith stated Swenson claims 3 acres of crop damages on corn, on land owned by Annette loger (Sweeney). Smith stated if we look at the Crop Damage Exhibit provided by Thomas, it includes damage on this claim, and crop damage on other parcels within the district. Thomas stated there were 5 property owners impacted by this project, CGA did GPS all of the crops that were mowed down during the project. Thomas referenced the mapped areas, and the front page of the exhibit shows the tabulation of acres that CGA had GPS data as removed. Thomas stated Swenson's claim is requesting 3 acres, and CGA calculated 2.2 acres. Thomas stated that from a farming perspective, any time that you go through the middle of a field, and you take out a row of crops, and CGA's calculations just show the row removed, but that through wind and animal damage you can end up with a little bit outside the area that was removed as being damaged as well. Thomas stated as far as the three acres goes, she was unsure if it was acceptable to round up to three acres, but she did not see a huge issue with that, but did not know what has been precedence.

Smith stated we had recently discussed having landowners provide input on claims, and Swenson's contact info is available should the Trustees have any questions for him. Smith asked if the Trustees would like to

move this claim to next week's agenda as we are short on time today.

Motion by McClellan to table the Claim for Crop Damages by Terry Swenson to the next Regular Drainage Meeting on Wednesday, May 6, 2020. Second by Hoffman. All ayes. Motion carried.

8. DD 52 WO 215 - Discuss W Possible Action - Investigation & Repair Summary

DD 52 WO 215 - Gallentine stated this was Tracy Below's work order in Hubbard, CGA has two summaries, one for tree removal and one for tile repair. Gallentine stated as far as tile repair goes, we don't have any additional actions other than it needs some additional grading after the freeze/thaw, and it may need some additional seeding, Gallentine was unsure who would do the seeding whether it was Below or if Adam Seward was, but someone probably needs to worry about the seeding in the alfalfa field.

Gallentine stated the tree removal was done by Seward, some of the trees were just cut off, and some stumps were ground off, but with the Aus trees, it looks like some of them have some regrowth on the stumps and on some of the branches that were not removed from the site yet. CGA recommends that any brush be removed instead of leaving it to set on the site, and additionally have Seward go back in the spring and respray the site to make sure we do not have any new seedlings popping up.

Motion by Hoffman to have Drainage Clerk Smith instruct the contractor to remove all vegetation that was cut on the property and retreat to prevent regrowth. Second by McClellan. All ayes. Motion carried.

9. DD 26 Lat 4 WO 82 - Discuss W Possible Action - Investigation Summary / Update

DD 26 Lat 4 WO 82 - Thomas gave an update on WO 82, this was on a wet spot in Lee Anderson's field, Randy Silvest is the tenant. Silvest had reported the work order back in 2018. CGA went out and did an initial investigation and brought that back to the Trustees who then authorized the contractor come in and dig up the existing clay line at or just downstream of the wet spot to confirm the clay line is operating. While the hole is open and the pipe is exposed, CGA will run a short push camera up to also view the condition of the inside of the pipe and see if we can see anything reasons as to why that would have been staying wet. In the initial investigation summary, CGA had included annual year photos from before 2010 through current, and it did look like there was an additional wet spot, so this went into the lottery system. Thomas stated that contractor Seward met with Silvest on April 21, 20, and Silvest indicated at that time that there use to be a problem here, but he wasn't aware of any problems at this time. The area was dry at the time of the meeting and because it was dry at that time, Silvest did not have any additional concerns, Silvest was ok with Seward not doing any further investigation. Seward did indicate to Thomas that the landowner or the tenant had come in since December of 2018 and removed a fence just south of the area that was wet, and Seward stated maybe that did help dry things up a little bit. Based on Silvest's comments to Seward, it seemed like the work order is no longer needed for some field work.

Motion by McClellan to mark Work Order 82 as complete. Second by Hoffman. All ayes. Motion carried.

10. DD 68 WO 293 - Discuss W Possible Action

DD 68 WO 293 - Nick Hoversten reports intake is sucking dirt on N side of 110th St. in parcel #892106400003 owned by Thielke Farms, just west of acreage/house site owned by Jeff Hoversten.

Motion by Hoffman to instruct CGA to investigate and report back their findings. Second by McClellan. All ayes. Motion carried.

11. DD Big 4 Main - WO 292 - Discuss W Possible Action

DD Big 4 Main - WO 292 - Nick Hoversten reports intake is sucking in dirt on Main DD tile, in west edge of parcel, right on property line with Hudspeths. Smith stated District tile is right in the area that Hoversten reports the intake.

Motion by Hoffman to instruct CGA to investigate and report back their findings. Second by McClellan. All

eyes. Motion carried.

12. Other Business

13. Adjourn Meeting

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