

REGULAR DRAINAGE MEETING
Wednesday, May 20, 2020 9:30 AM
Large Conference Room
This meeting was held electronically due to Covid-19 concerns.

5/20/2020 - Minutes

1. Open Meeting

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

2. Approve Agenda

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

3. Approve Minutes

Motion by McClellan to approve the minutes to Drainage Meeting dated 05-13-2020. Second by Hoffman. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, May 22, 2020. Second by Hoffman. All ayes. Motion carried.

DD 154 - For Prof Svcs After 1/31/20 to 5/05/20	Clapsaddle-Garber Assoc	\$ 117.60
DD 52 WO 215 - Prof Svcs After 1/31/20 to 5/5/20	Clapsaddle-Garber Assoc	\$ 1,561.60
DD 22 WO 176 - Prof Svcs After 3/21/20 to 4/18/20	Clapsaddle-Garber Assoc	\$ 1,871.05
DD 22 WO 176 - Crop Damage Claim 2020-5	Terry Swenson	\$ 1,716.00
DD 22 WO 276 - Parts,Labor, Equipment	Honey Creek Land Improvement, LLC	\$ 4,377.20
DD 102 WO 265 - Attend Hrg & Mtg on Rock Bedding/ Wetland	Clapsaddle-Garber Assoc	\$ 501.00

Motion by McClellan to recess shortly while Gallentine deals with a computer issue. Second by Hoffman. All ayes. Motion carried. Motion by McClellan to come out of recess. Second by Hoffman. All ayes. Motion carried.

5. DD 25 Lat 3 & DD 1 Main Tile - Discuss W Possible Action - Change Order No. 3

DD 25 Lat 3 & DD 1 Main Tile - Gallentine stated this is the change order for adding tile to the south portion of the district, essentially giving that deeper district tile an outlet to the main, it was discussed at a landowner meeting recently. Gallentine received the signed copy of the change order with pricing from contractor McDowell, Gallentine noted that this excavation is deeper than the rest of the tile, so the price per foot changed from \$38 per foot to \$47 per foot because of the additional depth. Concern was expressed by the Trustees over the cost increase per foot. Gallentine stated the depth of the tile changed in this area, the depth on the rest of the project is in the 3' to 5' deep range, the tile through this area since we are offsetting from the railroad is in the 7' to 10' deep range. McClellan stated that the previous estimate range was in the \$274,000 range and this is \$319,000 price range. McClellan asked if we have notified landowners of the price change, Gallentine stated we did have landowner meeting over the proposed change in tile route. Smith stated when we did the landowner meeting the cost discussed was at the \$38/ft price, and at that time we discussed approximately 1,300' of additional tile. Gallentine stated that the actual footage is 1,257' of tile. Granzow asked if the contractor is in line with these numbers, or if Gallentine felt the numbers were inflated. Gallentine stated that the increase itself is quite a bit at \$9 per foot, but tile at \$38 a foot is pretty cheap, \$47 a foot is more like what they expected to see on the original bid letting.

Gallentine stated the reason that the old tile is in the railroad right of way is because it is low ground, the change in tile route would be cutting through a hill, therefore the additional depth. Granzow asked if there was a cost savings if we don't have to duplicate some of the tile. Gallentine stated essentially we reduced another portion of the contract by about 200', and hopefully when we get an outlet on Alvin Clark's land east of the railroad tracks, we won't have to replace that at all, and that would be an additional savings.

Motion by Hoffman to approve Change Order Number 3 as presented. Second by McClellan.

In further discussion on the motion, all of the Trustees agreed they do not like the price increase, but understand something must be done to restore the drainage. Gallentine stated the contractor is within reason on his original price per foot, the

items previously bid will stay at the original contract price, this increase is only for the additional deeper tile.

All ayes. Motion carried.

6. DD 31 WO 278 - Discuss W Possible Action - Repair Summary

DD 31 WO 278 - Gallentine stated this is on Kielsmeier's property, where Kielsmeier reported two blowouts, the blowouts were investigated via the lottery system. Broken clay tile was found as well as a previous repair that was made without concrete collars, the new repair was made with dual wall pipe, concrete collars and rock bedding. Gallentine does not have any additional actions at this time unless more issues are reported, this appears to be two isolated incidents.

Motion by McClellan to acknowledge the repair summary for DD 31 WO 278. Second by Hoffman. All ayes. Motion carried.

7. DD 68 WO 293 - Discuss W Possible Action - Investigation Summary

DD 68 WO 293 - Gallentine stated this was reported by Nick Hoversten, and CGA went out to investigate and report back. Hoversten had reported a sinkhole by the road ditch beside 110th St.. The sinkhole matched Hoversten's description, CGA recommends digging around the sinkhole to see what is discovered and repair accordingly. McClellan asked if this was located in the road ditch, Gallentine stated it was in the road ditch. Hoffman stated Engineer Roll had all hands on deck between projects near New Providence and Hubbard right now, and wondered how long it would be before Secondary Roads could get to the sinkhole.

Motion by Hoffman to put WO 293 into the contractor lottery for repair. Second by McClellan. All ayes. Motion carried.

8. DD 124 - WO 259 - Discuss W Possible Action - Investigation Summary

DD 124 - WO 259 - Gallentine stated this work order had been around since last year and was wrapped up over the winter, it was reported by Steve Kjormoe. CGA found the Lateral 1 tile is very shallow in this area, CGA found some single wall tile that was crushed, it may have only 1' to 1-1/2' of cover over the tile. The repair was made with dual wall pipe, rock bedding and concrete collars, Gallentine stated it may not have been the best repair for the shallow depth but they don't make 10" concrete tile. Gallentine stated it is in a waterway, so it would not hurt to follow up with the landowner and make sure the dirt is shaped ok and reseeded. Gallentine stated due to the lack of dirt cover on the the tile, CGA recommends an Engineer's Report to possibly relocate the tile.

Motion by Hoffman to acknowledge the DD 124 WO 259 Repair Summary from CGA. Second by McClellan.

In further discussion on the motion, Gallentine stated the tile is flowing now. It was discussed by the Trustees that at the last landowners meeting, landowners expressed they just wanted to make repairs and/or maintenance at the minimum expense, and so no further action will be taken by the Trustees at this time.

All ayes. Motion carried.

9. DD 128 WO 279 - Discuss W Possible Action - Investigation Summary

DD 128 WO 279 - Gallentine reviewed that Dean Bright had submitted this request on a wet area on his field, the main was excavated about 12' away from the wet area, they also looked at the intake downstream from Bright's acreage, and the main appears to be flowing well. CGA could not find anything wrong with the main in the area, it could possibly be repaired or fix the issue by installing a private tile going up into the area, or by installing another lateral but it was discussed that the district landowners may not want to pay for a district lateral. Landowner Dean Bright spoke with contractor Seward and CGA observer on site and is aware of the findings, but it may be beneficial to send Bright a copy of the investigation summary.

Motion by Hoffman to acknowledge receipt of the DD 128 WO 279 Investigation Summary from CGA, and instruct Smith to send a copy of the Investigation Summary on to landowner Dean Bright. Second by McClellan. All ayes. Motion carried.

10. DD 158 WO 285 - Discuss W Possible Action - Investigation Summary

DD 158 WO 285 - Gallentine stated this an intake in the road ditch that was reported to have issues. CGA investigated and found there was sediment in the intake and water is going out of the intake overland beneath the road in a road culvert. CGA recommends the tile be excavated beside the road so that the tile can be televised and see what is going on beneath the road, if it is a collapse or restriction. CGA assumes it is small enough it can be handled by the lottery system.

Motion by McClellan to acknowledge receipt of the DD 158 WO 285 Investigation Summary and add it to the lottery system for repair. Second by Hoffman. All ayes. Motion carried.

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

DD Big 4 WO 292 - Gallentine reviewed that the landowner Nick Hoversten reported there is an intake sucking dirt on the road ditch on D25. CGA went out and looked at it and it is part of Big Four District, but there is not a District tile where the landowner reports this erosion. CGA recommends that this be referred to Secondary Roads, as this is not a District issue. When CGA spoke with Hoversten he reported there are some issues on the open ditch of Big 4, CGA went and looked at those, there are some wash outs, and some tile outlets that are broken, eventually those could cause some erosion and siltation, but the way Big 4 flows, Gallentine is not worried about siltation because it has such a high flow rate, but may be more worried about erosion. Gallentine stated he was unsure if this was a widespread issue or not, and it was up to the Trustees if they would like further investigation. The Trustees did not want to pursue further investigation at this time.

Motion by McClellan to acknowledge receipt of the DD Big 4 WO 292 Investigation Summary and to direct Drainage Clerk Smith to contact the County Engineer regarding repair. Second by Hoffman. All ayes. Motion carried.

12. DD H-F 2 WO 286 - Discuss W Possible Action - Investigation Summary

DD H-F 2 WO 286 - Smith provided an update, Smith shared the Investigation Summary on this joint district with Franklin County, and it is on the Franklin County agenda for review as Franklin is the control county in this joint district. Smith stated when she receives the minutes from Franklin County's review of the work order she will share them with the Trustees.

13. Discuss W Possible Action - IRUA Correspondence

IRUA Correspondence - Smith stated that she had received an email back from attorney Mike Richards regarding the request by the Rolph family for rural water service through the IRUA. Attorney Richards stated we should reply to the request with language that states that the IRUA may perform this limited work to connect only with Rolph's property. Not withstanding the foregoing, we note that the cease and desist order is still in effect, and continue to require compliance with all District regulations.

Hoffman motioned to direct Drainage Clerk Smith to send correspondence with the verbiage provided by the legal counsel to the Rolph family and copy the IRUA on the the correspondence, so that the Rolph family can obtain clean drinking water.

In further discussion on the motion, McClellan asked what the further language in Richards email discussing the cease and desist order stated. Smith replied the cease and desist order would technically not be violated by this request for service, as the Rolph's property lies within the boundaries of a drainage district, but this service connection would not cross or impact any district tile.

Second by McClellan. All ayes. Motion carried.

14. DD Big 4 Main - Discuss W Possible Action - Tree Removal

DD Big 4 Main - Smith had a request come in for clarification on tree removal in DD Big 4 Main, Smith stated a lot of the discussion on tree removal happened before her time as clerk, Smith reviewed all of the minutes and there had been discussion with landowner Michael Inks at that time, regarding his trees, but there were no notes regarding Cleveland's trees, tree maintenance/tree removal. Cleveland has 151 acres that border the main open ditch, Smith asked for clarification if these trees can be removed by the landowner or is this something a contractor would need to remove. Cleveland reports trees 8' to 10' tall, and he stated they are too big to be sprayed and would likely need to be cut. Granzow stated Cleveland is more than welcome to remove trees at his expense, if he would like the district to remove the trees, those costs would be assessed to the whole district. Gallentine stated he would request that Cleveland cut the trees, treat the stumps against regrowth and does not leave the bank in disrepair. There was discussion that it was unfortunate that the trees were not sprayed and killed before they got to this size, and there may be other districts that may have regrowth due to issues with previous spray contractor.

Motion by McClellan to direct Drainage Clerk Smith to notify Jim Cleveland he may cut and remove trees and treat stumps for regrowth at his expense. Second by Hoffman. All ayes. Motion carried.

15. Other Business

DD 143 - Gallentine provided an update on an issue reported by Calvin Hiland, in which the contractor came in last year and made a repair on their own that did not meet district standards. Gallentine stated he had emailed UPN that they needed to comply with a permit and we have heard back from them that they have not filed a permit yet, but they are discussing

requirements for repair, so he was glad they had an open line of communication.

DD 55-3 Lateral 12 - Gallentine provided an update on DD 55-3 Lat 12 where we are going to jet beneath the Union Pacific railroad tracks and do some televising. The contractor was lined up to do that work today, and we received an email after 5:00 pm last night from one of the UP's subcontractors that handle this type of work, and there are still 4 items that they want submitted before the contractor can begin work. Gallentine emailed contractor Seward to see if he would like Gallentine or the Drainage Clerk to get involved to see if he can get this resolved. Gallentine stated that the railroad's permit expires on June 10, 2020 so we need to have the work done by them. It was discussed that CGA and Clerk Smith were very helpful in getting things turned into the railroad and in working with Seward, this is not a contractor issue but a railroad issue, as they have many requirements and hoops to go through to get final approval for work to begin. Gallentine stated we are jetting, and not even digging under the right of way or the tracks, and we are still required to call in to have their crossing signals located, even though we will be nowhere near a crossing, and will not be affecting anything in their right of way except when we jet, but that is still one of their requirements.

Smith stated part of the issue we had was with a Contractor Right of Entry Agreement we submitted with Seward to the UP, when the form was submitted Smith received a reply that due to Covid-19, the UP staff member to which this was submitted will not be in the office for the remainder of the week, and that any required permitting processes and approval times may be extended due to Covid-19. Smith called their 800 number to try to reach out to someone else who could help us and was sent to a voicemail system, Smith also reached out to Norma Reynolds who was our previous contact with the railroad, both by phone and email, this email came back as undeliverable as she is no longer in the UP real estate department. Smith stated we are trying to do all we can to support the contractor and make sure this is a successful project. Gallentine stated it did not help that when Seward initially spoke with the railroad, the railroad had mixed this project up with the DD 25 project and the RR provided Seward with the wrong folder number which is used to track all work on a project, and so the RR was talking with Seward about this other project and the RR had completely muddled their own process. Gallentine stated he cannot fault the contractor or the clerk for the delay in any way. Hoffman stated this is definitely frustrating for all involved. Smith stated she spoke with Seward this morning and he had built an access road for William's televising equipment to get into the site, and had parked all of his own equipment on the site before they left yesterday, so they would all be ready to go first thing this morning, so it was disappointing for all to be delayed.

16. Adjourn Meeting

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