

REGULAR DRAINAGE MEETING
Wednesday, June 3, 2020 9:30 AM
The meeting was held electronically due to Covid-19 concerns.

6/3/2020 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson Lance Granzow opened the meeting. Also in attendance were Trustee Renee McClellan; Lee Gallentine and Heather Thomas of Clapsaddle-Garber Associates (CGA); Michael Pearce; and Denise Smith, Drainage Clerk.

Motion by McClellan to recess the meeting until 12:00 pm due to large schedule of Board of Supervisors meetings today. Second by Granzow. All ayes. Motion carried.

Motion by McClellan to end recess and enter Regular Drainage Meeting. Second by Granzow. All ayes. Motion carried.

2. Approve Agenda

Motion by McClellan to approve agenda. Second by Granzow. All ayes. Motion Carried.

3. Approve Minutes

Motion by McClellan to approve the minutes to Drainage Meeting dated May 27, 2020. Second by Granzow. All ayes. Motion carried.

4. Approve Claims For Payment

Motion by McClellan to approve claims for payment with pay date of Friday, June 5, 2020. Second by Granzow. All ayes. Motion carried.

DD 22 WO 176 - Prof Svcs 4/18/20 to 5/16/20 Clapsaddle-Garber Assoc \$ 836.00

DD 26 WO 82 - Prof Svcs 1/26/2019 to 5/16/2020 Clapsaddle-Garber Assoc \$ 118.60

DD 52 WO 215 - Tree Removal, brush haul off, spray Honey Creek Land Improvement, LLC \$ 6,930.00

DD 124 WO 259 - Tile Repair, Parts, Labor, Equip. Honey Creek Land Improvement, LLC \$ 14,214.00

DD 131 WO 275 - Tile Repair, parts, labor, equip. Honey Creek Land Improvement, LLC \$ 4,040.20

5. DD 11 WO 294 - Discuss W Possible Action - Investigation Summary

DD 11 WO 294 - Blowout reported by Bob Smuck, reported location did not quite match work order map, CGA spoke with Smuck and exact location was determined. CGA found sinkhole with dirt sunk away, and tile is not visible. Sinkhole is located at west side of property fence, and there is a manhole located off G Ave. CGA recommends excavation at sinkhole location and do repair as needed, sinkhole location appears to be right along district tile route. Gallentine reports that in manhole, tile was found to be flowing, but there is erosion around manhole structure, it is not clear if this is from surface water or if it is sucking dirt in, the erosion could be filled in, although this was not the area of focus on the work order. Granzow stated the erosion at manhole was not the area of complaint, so no action on this at this time.

Motion by McClellan to approve the engineer's recommendation to repair sinkhole on DD 11 Work Order 294 and to put work order in the lottery system. Second by Granzow. All ayes. Motion carried.

6. DD 22 WO 276 - Discuss W Possible Action - Repair Summary

DD 22 WO 276 - Heather Thomas stated the work order was on the sinkhole in Randy Silvest's wetland, repair went well. CGA did offer to come and look at it when the work order was complete, Silvest declined. Thomas stated the area of work was not seeded, Silvest did not request seeding, but this may be the only issue that would come back up. Other than that it went well, included in the packet is the contractor's time and materials and an as-built sketch. It was discussed the area of work that was done was 40' wide by 60' long, Thomas stated it was wetland vegetation previously, but due to flooding out, it may not be what appears to be true wetland vegetation. Granzow stated we can leave it as is, and if Silvest contacts us for seeding, we can discuss with him how he would like that handled. McClellan stated we should reach out to Silvest with a phone call. Thomas will be happy to reach out to Silvest to see if he would like the area reseeded.

Motion by McClellan to have Thomas reach out to Silvest regarding the reseeding of the repair. Second by Granzow. All ayes. Motion carried.

7. DD 52 WO 215 - Discuss W Possible Action - Crop Damage Claim 2020-4

DD 52 - WO 215 - Smith stated we had received a quote from contractor Honey Creek Land Improvements for reseeding on Drainage Claim 2020-4 submitted by Tracey Below, the quote included round-up ready alfalfa seed, and the Trustees had directed Smith to reach out to the contractor and request a new quote with regular alfalfa seed. Honey Creek Landscaping submitted a new quote for \$430 for regular alfalfa seed, the previous quote was for \$715 for round-up ready seeding. Smith stated claimant Tracey Below would like payment of claim to be directed to landowner Shaun Piel.

Motion by McClellan to approve payment for Claim for Crop Damage 2020-4 to be paid to landowner Shaun Piel, as directed by Tracy Below, for regular alfalfa seeding in the amount of \$430.00. Second by Granzow. All ayes. Motion carried.

Smith will include the payment in next week's claims.

8. Discuss W Possible Action -Wind Turbine Ordinance And Drainage Utility Permit Language & Process

We received a reply from attorney Mike Richards regarding the Drainage Utility Permit Application as it pertains to wind turbines. Smith asked the Trustees to review Richards reply and direct her as to how they would like to proceed. Granzow asked Smith to share the document with CGA and the County Attorney, Darrell Meyer. The option of having the wind turbine company provide a \$50,000 escrow fund for drainage repairs was discussed, and that the fund would remain in escrow for the life of the turbine in case damages to district facilities are not apparent upon construction, and whether that fund should be per turbine or per drainage district. It was discussed that there may be differing opinions within the drainage districts on the wind turbines, and that the wind turbine companies may say that this repair fund would be too much cost to continue with the project and that there may be landowners that feel the Districts are depriving them of income.

Granzow stated we could clarify the \$50,000 repair fund requirement to be \$50,000 per each turbine during the construction phase and then after construction is complete, there could be a \$50,000 fund per district held in escrow, for any later district tile repairs tied to the wind turbines. Granzow states the original shock of \$50,000 per turbine is so that any damage done to district facilities could be repaired right away, and once money is spent on repairs it would be replenished by the wind turbine company. McClellan stated the escrow fund could be refunded after the turbine life is over. Granzow stated we have discussed another requirements as well including, televising tile before and after construction and GPS mapping of their crane walks as well. Smith stated this would only apply to wind turbines that require a Drainage Utility Permit application, wind turbines that do not impact a drainage tile or district facility would not need to apply for a Drainage Utility Permit, so that would not apply to any turbines that will not have possible impact on a drainage tile. Gallentine stated it may be possible to apply the \$50,000 requirement only when the wind turbine company crosses a tile line. Granzow had concerns that a wind turbine could cross a tile multiple times in construction of the turbine with all of the underground cabling. Granzow stated if it were \$50,00 per

turbine only if it were impacting our facilities during construction, we could reduce that down to just \$50,000 in escrow per district when construction is complete. Gallentine stated if every thing goes perfect during construction, that amount sounds high, but if only two or three things go wrong with a district tile during construction the \$50,000 repair fund could be eaten up quickly in tile repair costs. McClellan asked if this were the same company that went through Franklin County, Gallentine stated it was not the same company, Smith stated they will share some transmission lines with Franklin County's project but it is not owned by the same company. Granzow stated we need to include this on the next agenda for discussion/action. Smith will include this on next week's agenda for additional review.

9. Other Business

IDDA - Smith received an invoice from Iowa Drainage District Association for membership, and asked if the Trustees would like this as an agenda item. Granzow stated it can be included in next week's agenda.

DD 55-3 - Smith provided an update on the DD 55-3 railroad consent, Honey Creek Land Improvement has submitted all of their paperwork and payment to their insurance company for railroad insurance coverage, and are waiting on their binder form the insurance company so that they may submit it to the railroad. Smith received an email back from Valerie Harrell that stated they would like to do the Contractor Right of Entry and request for 90 day extension as one permitting event, so it sounds like the UP is willing to work with us on the time-line for the extension. Harrell states that once documentation is provided by the contractor we can look at the 90 day extension.

DD 102 CREP Wetland - Gallentine stated that contractor is getting ready to install concrete pipe tomorrow, and CGA will have someone on-site to observe those soil conditions to see if they need to add any rock bedding. Contractor thought construction would take one to two weeks. Granzow asked if CGA will be on-site the whole two weeks. Gallentine stated that they do not need to be on-site when the contractor is pulling out the old tile, and CGA only needs to be there for new tile install, contractor expected that may take a week, and Gallentine stated CGA may be on-site for an estimated 5 days.

DD 22 WO 176 - Thomas asked if we were any closer to holding in person meetings for a Completion Hearing. Thomas is waiting on lien waivers from Gehrke, so that is fine, and CGA can hold Gehrke's retainage a little while longer, until waivers are received. Granzow stated we are not ready to open the Courthouse up to the amount of foot traffic a landowner completion hearing may have, but we could certainly do a zoom meeting. Thomas stated if the Trustees are ok with doing a completion hearing by zoom meeting, we can get that scheduled once we receive lien waivers back from Gehrke. McClellan stated even if landowners don't have computer access, they can access the meeting with a telephone by calling the zoom phone number and entering the access code provided in the agenda.

10. Adjourn Meeting

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