

**REGULAR DRAINAGE MEETING  
JULY 10, 2019**

7/10/2019 - Minutes

1. Open Meeting

Hardin County Board of Supervisors Chairperson, Renee McClellan, opened the meeting. Also present were Supervisor, Lance Granzow; Landowner Tom Roberts; Lee Gallentine with Clapsaddle-Garber Associates (CGA); Drainage Clerk, Becca Junker; Former Drainage Clerk Tina Schlemme. Absent: BJ Hoffman

2. Approve Agenda

Granzow moved, McClellan seconded to approve the agenda as provided. All ayes. Motion carried.

3. Approve Minutes

Granzow moved, McClellan seconded to approve the minutes of the June 19, 2019 regular drainage meeting & DD 9 public hearing on the engineer's report, June 24, 2019 regular drainage meeting and June 26, 2019 regular drainage meeting.

4. DD 143 - Discuss, With Possible Action, Responsible Utility Company

Gallentine explained that CGA called one call and it appears that Unite Private Networks (UPN) and Radcliffe Telephone both have fibers in the area. After further investigation it was determined that Radcliffe Telephone is north of the tile and UPN is the fiber optic that is going through the drainage district tile.

Granzow moved, McClellan seconded to send a certified letter requesting a signature to UPN informing them that their fiber optics have cut through district tile. Pursuant to Code of Iowa Section 468.186, companies or individuals wanting to construct, operate and maintain utilities on, over, across, or beneath an established County Drainage District must request and receive an approved Drainage District Utility Permit which UPN never did. Therefore, the Trustees expect this tile to be fixed to Hardin County District Standard before winter as this is a road hazard. UPN can contact Lee Gallentine with CGA for clarification on what the District Standards are or the district can do the repair and assess the repairs to UPN. The Trustees requested a response from UPN one week from the date the letter is sent. All ayes. Motion carried

5. DD 128 & Big 4 - Discuss, With Possible Action, Signed Change Order #4

Gallentine explained that Hands On were on site in May of last year on Dean Bright's property. Once they were there Bright requested Hands On wait until fall because he had his crop in. To do that there needs to be a signed change order to extend the project until December 31, 2019.

Granzow asked when the contract was due by and Gallentine said June 1, 2019. Granzow went on to explain that Gehrke had heard that Hands On got an extension on this project and Granzow did not remember giving an extension on any project. Gallentine said that the original completion date was November 30, 2018 and there was an extension to May 1, 2019 and now he's asking for another one at the landowner's request. Granzow asked Gallentine if Hands On was given a premature extension and he replied and said that they did not, the extension was given in November of 2018.

Granzow moved, McClellan seconded to approve Change Order #4 for a time extension from May 1, 2019 to December 31, 2019. All ayes. Motion carried.

6. DD 102 - Discuss, With Possible Action, Wetlands Project

Gallentine explained that he thinks this is a great project and is a very good decision for the drainage district. He did have a few questions over some of the designs of the project but those questions are more for IDALS.

Granzow moved, McClellan seconded for Gallentine to forward his questions and concerns onto IDALS and then contact Junker to schedule a landowners meeting. Gallentine reiterated that he thinks this is a great project and his comments are not against the project, he just wants to make sure everyone is on the same page going forward. All ayes. Motion carried.

## 7. Other Business

DD 9 - Work Order 229 - Roberts addressed the fact that the route the Trustees moved to approve at the Public Hearing last week was originally going to be about \$35,000 more than the route that he has expressed he wanted to take. After he read the minutes from last week he noticed that on top of that price there is going to be an estimated \$10,000 in legal fees which will make it \$45,000 more than what he had wanted to spend. He expressed his frustrations that long term it might be worth the \$45,000 more but right now all he can see is a project and route that he does not want costing him more money than the route he wants to use. He understood that there is going to be a new reclassification done and that might change his percent benefited. He further explained that his tenants have 9,000 bushels of corn that he needs to get out, and he doesn't know how he will get to it at this rate. Gallentine explained that per the motion CGA is currently working on plans right now to bid as soon as possible. Gallentine told the Trustees that they can change their motion and he will stop working on the plans, but if they do that they need to hold a meeting or somehow let all the landowners know that a change has been made because all the other landowners seemed on board with taking this route which is why it was moved to begin with. Granzow said that Roberts could do a remonstrance but Gallentine explained that it is too late for that and it would have needed to be done before or at the hearing. McClellan then asked what the options are at this point. Gallentine responded if they want the project to stop they need to direct CGA to stop and then tell the other landowners that they've decided to stop this route and explain why. He said he didn't know what they could do as an alternate, Granzow then said the alternate could be leaving it as one district. Gallentine said they could but there would still have to be a reclassification and that the Trustees would need to reach out for legal advice on how that would work. He further explained that from his understanding the other landowners in the district wanted this option because it would give them their own outlet and better drainage.

Granzow circled around and asked Roberts if he wanted the Trustees to hold another Hearing to further discuss his concerns with all the landowners. Roberts replied that a few months ago the first thing he said was that he is not familiar with this process, but the trustees are, so he hoped they could make the right decision because he didn't know what that would be. He explained that he has learned a lot in the last few months but he wants to know if it's really worth \$45,000 to take this route. Granzow answered by saying at the hearing as a whole district, it was. Individually, maybe not but he has to look at the district as a whole and for them it is. By doing this option the district will get more capacity for only \$45,000 more. Gallentine then explained that he doesn't know what the price will be for the annexation and that is not within the report he presented so it could be more than \$45,000. It was then discussed that at the bid letting if the price is not what the district wants to pay the Trustees are able to reject all bids.

DD 9 - Work Order 258 - Seward asked for clarification on the distance he is supposed to be trimming, he knows 50 ft from the drainage tile, but he doesn't know where to stop. Granzow asked if CGA was supposed to be out telling him where to cut and Gallentine said that because it was just tree removal, CGA was not instructed to go out there at all. After reviewing the map of the work order and original map it was decided that he was to cut up to the property line. Junker sent Seward a map so that he would have a better understanding on where to cut.

DD 143 - Gallentine updated the Trustees that there was two spots CGA identified Radcliffe Telephone had gone through the tile and Tina sent a letter telling them that they needed to fix the tile. Dave Nelson called Gallentine yesterday to tell him that they have gotten one of these repairs done and wanted CGA to come out and take a look before they started on the next one. At the time of the call the tile had already been covered in rock and well documented with pictures. Gallentine presented the photos that Nelson took to the Trustees and asked them if they wanted CGA to go out while they finish the second repair. It was decided that it would not be necessary. Nelson also asked if he could have the line go over the tile of the second repair rather than under. Granzow said if that was documented within the minutes he doesn't see an issue with it. No motion.

## 8. Adjourn Meeting

Granzow moved, McClellan seconded to adjourn the meeting. All ayes. Motion carried.