

**REGULAR DRAINAGE MEETING**  
**Wednesday, August 19, 2020 9:30 AM**

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

8/19/2020 - Minutes

1. Open Meeting

Hardin County Drainage Chairperson Lance Granzow opened the meeting. Also present were Trustee BJ Hoffman; Trustee Renee McClellan; Lee Gallentine and Heather Thomas of Clapsaddle-Garber Associates; Michael Pearce, Network Specialist; 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 Hoffman to approve the minutes to Drainage Meetings dated 08-05-20 and 08-12-20. Second by McClellan. All ayes. Motion carried.

4. DD 22 WO 176 - Discuss W Possible Action - Completion Hearing

Heather Thomas of CGA stated that lien waivers are in and we are ready to look at a date for a completion hearing for DD 22.

Motion by McClellan to set the date for the Completion Hearing for Wednesday, September 9, 2020 at 11:00 am in the large conference room of the Courthouse and to direct the Drainage Clerk to send out publication and landowner notices for the hearing. Second by Hoffman. All ayes. Motion carried.

5. DD 121 WO 295 - Discuss W Possible Action - Investigation Summary / Landowner Meeting

Gallentine gave a brief overview of the investigation summary on the report of a blowout/sinkhole in which there were issues of wet area upstream of blowout, water flowing overland through a grassy swale, exposed and broken tile shards, stumps, rocks, and shallow tile. Gallentine asked if the Trustees would like to review the issues with landowners in a landowner meeting as it may involve replacement of several hundred feet of tile.

Motion by Hoffman to hold a DD 121 Landowner Meeting on Wednesday, September 2, 2020 at 11:00 Am in the large conference room of the courthouse and to direct the Drainage Clerk to send meeting notices to landowners. Second by McClellan. All ayes. Motion carried.

6. DD 48 - WO #237 Discuss W/ Possible Action - Repair Summary

Gallentine stated that the existing CMP surface drain and anti-seep collar were in good condition and set aside for re-use, set aside topsoil and borrowed clay were used to grade the slope of surface drain, original 1/2 diameter anti-seep collar and additional full HDPE seep collar were installed nearer the inlet, waterway was graded to direct overland water flow towards inlet of surface drain, silt bar in main channel identified in previous investigation has been mostly washed away. CGA was not on-site for seeding and final grading and recommends the contractor be contacted to verify that seeding and grading were done, if erosion occurs again we could put some erosion stone on the inlet or outlet side, but is not warranted unless we get more erosion occurring.

Motion by McClellan to direct the Drainage Clerk to contact the contractor to see if repair area has been graded and seeded. Second by Hoffman. All ayes. Motion carried.

7. DD Big 4 Lat 4 - WO 195 - Discuss W Possible Action - Repair Summary

Gallentine stated this is a really old work order for a beaver dam west of Alden, on the open ditch of Lateral 4 under the Canadian National Railroad and there was a beaver dam downstream of it. Gallentine stated we thought we had a contractor lined up for this, this goes back to R&D Custom, who said they would do the work order but never did. Gallentine contacted contractor Seward and Seward visited the site and the dam is gone, it was unclear if it washed out or someone took it out. No action at this time, CGA recommends the area be monitored for beaver activity, Gallentine stated the landowners will do that and let us know if there are more issues.

8. DD Big 4 Main - WO 247 - Discuss W Possible Action - Repair Summary

Gallentine stated this is in addition to the small projects that Hands On is finalizing, while we were out there we received a work order for another washed out surface drain. Gallentine stated we believe it is completed and has been seeded.

Motion by McClellan to direct the Drainage Clerk to contact the contractor to see if repair area has been graded and seeded. Second by Hoffman. All ayes. Motion carried.

9. JDD H-H 118-232 WO 281 - Discuss W Possible Action - Repair Summary

Gallentine stated this is the joint district with Hamilton County on branch 2CA and 2B5, we had issues with intakes in the road ditch right along AA Ave. In investigation, it was dug up and found tile was having issues connecting to the main, it was repaired. Initially there were sinkholes reported south of the highway, turns out they were animal holes. Gallentine noted they did find that the road ditches on AA Ave. need to be cleaned out, and recommends that is turned over to Secondary Roads, as there is also a culvert in the ditch that needs cleaned out. Gallentine stated that this did not get seeded, so either the contractor or Secondary Roads needs contacted to complete the seeding. Smith asked if the invoices that will come in from the contractor will need to be billed to the district or billed to Secondary Roads. Gallentine stated he would have to look through and verify, but was pretty sure all of this was in the road right of way. Granzow asked if they are parallel with the right of way or across the right of way. Gallentine stated this was crossing the right of way and had a lot to do with the intakes in the ditches. Gallentine stated they either weren't connected up or original construction was faulty.

Gallentine referenced a 15" beehive intake that was put right on top of district tile, but only knocked an 8" hole in the district tile, while it looked good on the surface, when the cover was removed, it was just a small hole draining the intake. Gallentine stated this one would go to Secondary Roads. McClellan asked if Secondary Roads installed the intake. Gallentine stated he is not sure who did the work the intake has been there for a very long time, probably back to the 1960's. Gallentine stated if he remembered right, Taylor Roll was originally contacted on this work order but didn't have time to get to this one immediately.

Motion by McClellan to direct Drainage Clerk to contact Secondary Roads to see if they want to do the seeding or if they want the contractor to do the seeding. Second by Hoffman.

In additional discussion on the motion, Granzow stated we have IRVM and a hydro-seeder and it would make more sense for us to do it and needs to be taken care of.

All ayes. Motion carried.

10. Discuss W Possible Action - Drainage Utility Permit Process

Smith provided an update on responses from the utilities on the letter sent out to them regarding open Drainage Utility Permits, Smith stated she could provide an update today or wait until we heard back from attorney Mike Richards on his update of drainage utility permit language. Hoffman stated lets have an update today. Smith stated the certified letters were sent out to all open drainage utility permit holders and we have received responses from all but three of the utility permit holders, the three we have not received a response back from are IRUA, Century Link and Alliant Energy on one of two permits because they were directed to two different people at Alliant. Smith stated in those responses, there are two permits she

thought we could possibly call complete as they provided some CGA invoices for observation, this would include Radcliffe Telephone permit 2018-13, Ed Drake reports that is complete and has provided us with a CGA invoice. Smith stated the other permit would be from South Front Networks permit 2018-12 because no line was completed in Hardin County, they ended up utilizing a line in Franklin County. Gallentine will verify those two permits and get back to Smith, Gallentine thinks on the Radcliffe Telephone permit they were billed by CGA for the 2 districts they contacted CGA about but not for the other districts they did not contact CGA on. Smith stated the other replies she received back tell a similar story, that work is completed. Alliant Energy tells us that majority of work is complete, except for some rework, Aureon states they are reaching out to their contractor to see what correspondence they had with CGA, says work itself is complete. Midland states there was a miscommunication with their contractor and contractor Highland did not contact the County, they have one more permit that has not commenced work yet but will begin soon. Smith stated she reiterated to the utility companies that it is immensely important that you give us 24 hour construction notice and they reach out to the Drainage Clerk or CGA for tile locate and observation. Smith stated Minerva Valley reports their project construction is ongoing for the next 2 to 3 months. Smith stated she thanked the utilities for their responses, Smith stated she would like clarification on her next step for those utilities that completed work and did not utilize construction observation, Smith stated she was unsure if the Trustees would like her to do anything at this time or wait until we hear back from the three that have not responded yet.

Granzow stated one will not respond as they have a cease and desist order currently, the other two we may move forward with a cease and desist, we should talk to Mike Richards on this, the ones that claim they have done it and have had a miscommunication on it, they need to come to a meeting and explain to us why they did not provide 24 hours notice of construction or tile locates and it needs to be corrected. Hoffman stated he agreed, we need to be consistent across the board. McClellan concurred. Granzow stated if they refuse to come to the meeting we can do a cease and desist. Smith stated she can send another letter out to the utilities that have replied and let them know that for the work that has been completed the Trustees would like them to attend a meeting, Smith will provide zoom information for that meeting as well. Gallentine stated, just to be clear, when the utility says their work is complete, their work is complete, but they still don't even acknowledge that they have located the tile or acknowledged it's existence. Granzow stated the utility needs to explain how the work can be complete if they have not followed the permitting process. Smith asked if there was a specific meeting date we can invite the utilities to so that Smith can provide that information in a letter. McClellan stated it can be on the agenda, and it did not matter which specific meeting date we choose. Smith stated she may put it on the September 2, or September 16th agenda, as she wanted to give them time to prepare but did not want to give them too much time or it would be forgotten. McClellan asked if it would be worthwhile waiting on the three utilities we have not heard from. Granzow stated we could wait on reply from Mike Richards on these.

Smith stated she had reached out to attorney Mike Richards for clarification on the drainage permit language as we had talked about adding a bonding or application fee as well, and Smith sent Richards a copy of the letter sent to all the utilities so Richards is aware of that also. Smith stated she could provide Richards with more direction after the Trustees had reviewed these responses. McClellan asked if there are other counties that require a bond. Smith stated there are other counties that may not require a bond but there is an application fee. Scott County and Louisa County both have an application fee on their utility permits, whether that be a regular utility permit or a drainage utility permit, there is an application fee. Smith believes it is \$1,000 for each application so that is quite expensive, maybe, but if you looked at that in lieu of using that fee to have CGA on-site as an observer and use those application fees to pay for that, it might not be a bad trade-off in the end, because you are guaranteeing that if they have paid up front that you can have an observer on site. Smith stated it may give a little more tooth to the permit language itself in the sense that we are trying to get the utility to comply. McClellan asked if any of that fee is refundable. Smith stated that if Scott and Louisa County's application fee is not completely used any remaining funds will be returned to the utility upon completion of inspection of the work. Granzow stated that CGA could recommend a dollar amount. Smith stated we currently don't have any application fee language. Gallentine stated he liked the deposit up front, truthfully it is almost to the point where part of that deposit is paid to a contractor who can go out and find the tile and locate it for these utility companies, because they have no interest in finding the tile themselves.

Hoffman stated that may be the solution, if we initiate finding the tile, that the key thing is adequately, properly, legally locating and marking the tile and then making sure the observers have a better relationship

with our local contractors than they do with the utilities and wanting to effectively communicate that. Gallentine stated once we have dug it up and go out and shoot it with GPS then we won't have to locate it the next time that it comes through in that location, we can just stake it out with GPS again. Hoffman stated that may be something we want to amend to the utility permit process, is that one of our contractors will come out and do the locate, or unearth and do the locate work. Smith asked if the Trustees would like Mike Richards to look at that and see if he can incorporate that with a bond or application fee language that he is looking at now. McClellan thought that would be a good idea, Granzow agreed and added that would be in lieu of a bond, but it should be each crossing, if they cross 5 times on one district it would be \$5,000. Gallentine stated it can't be just \$1,000 per district, because on some of these large projects that would not cover the costs. Granzow stated \$1,000 per tile/facility crossing with the remainder of unused funds to go back to the applicant utility/contractor. Hoffman stated we just need to make sure we publish and let every utility know what the rates are for CGA to do that upfront so that they understand the logic behind the dollar amount. Granzow stated if it is missed, it is on us and not them, that would be easier. Smith will communicate this information to Mike Richards, that the Trustees would like to see language that reflects a \$1,000 application fee per crossing to be used for CGA/local contractor to locate the tile and shoot GPS coordinates of the crossing. The Trustees agreed that this was what they would like communicated to Mike Richards and felt this was a productive discussion.

#### 11. Other Business

DD 25 - Gallentine provided an update on work south of Garden City, the contractor did wrap up work last week and the contractor is working on a punch list, and this project is 99% done.

DD 55-3 - Lat 12 Gallentine provided an update on work on near railroad, the contractor has completed jet cleaning and was not able to complete televising yesterday, but the railroad flagger's stated if all the contractor is doing is televising and won't have equipment in the right of way, they do not have to have the flaggers come back, the contractor can just televise. Seward will televise tile soon within the next couple weeks.

Contractor Status - Granzow stated that contractor Seward is completing a lot of these work orders. Gallentine stated that the contractor is getting us very caught up and we are at the point now where there are only a few bigger work orders left that will require some crop damage to do and we will wait until fall to look at them. Gallentine stated we were also contacted by another contractor who is interested in doing work, Layne Aldinger, so Gallentine sent him information and Smith made sure he had current information to get started, and hopefully we will get another contractor in the pool.

DD 143 - Calvin Hiland spoke with McClellan and Hiland is wanting the trees removed and jet cleaning/cutting done on the tree roots in the tile in Radcliffe along Ionia St., the Trustees discussed that progress will be made by the tree removal being done by the city of Radcliffe, and that water is still flowing. Granzow stated he appreciated Hiland's patience with the process.

Smith asked a general question on the depth of open ditches when they are cleaned out that was posed by landowner Larry Dougan. Gallentine clarified that when ditches are cleaned out, they are not made any deeper than the original design, they are just restored to the original specifications, the problem is that no one in their lifetime may have seen the ditches cleaned out to their original specifications. McClellan asked if the sides are so steep that rip-rap could not be added to prevent meandering. Granzow stated that he expects Dougan is seeing the ditch on low current fed by an 8" tile that goes for one mile which does not have enough flow to keep your base flush, it has just filled back in some, Dougan's was added on and annexed later. Gallentine stated we just restore ditches to original specs, to deepen a ditch would be an improvement.

#### 12. Adjourn Meeting

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